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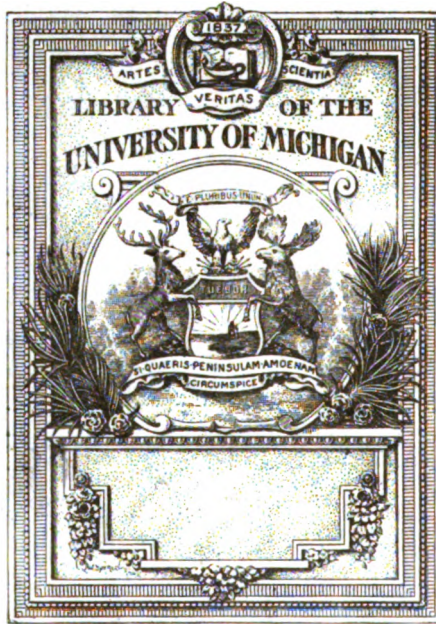
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Ohio General Assembly House
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

**EIGHTIETH GENERAL ASSEMBLY
OF THE STATE OF OHIO**

EXTRAORDINARY SESSION

COMMENCING MONDAY, JANUARY 19, 1914

VOLUME CIV



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HOUSE JOURNAL

Hall of the House of Representatives, Columbus, Ohio.

Monday, January 19th, 1914, 10 o'clock, a. m.

PROCLAMATION.

By virtue of the authority vested in me by the Constitution of the State of Ohio, I, James M. Cox, Governor of said State, do hereby require the Eightieth General Assembly of Ohio to convene at the State House, in Columbus, at 10:00 A. M., on Monday, January 19th, for the purpose of considering such measures as should receive legislative action at this time.

The Constitution of the State, as amended, provides:

"The Governor on extraordinary occasions may convene the general assembly by proclamation and shall state in the proclamation the purpose for which such special session is called, and no other business shall be transacted at such special session except that named in the proclamation, or in a subsequent proclamation or message to the general assembly issued by the Governor during the said special session."

It is by reason of the limitations thus imposed upon the general assembly when in special session, that this document will not only combine the call for the session but the message submitting in formal manner the subjects to be considered and the recommendations of this branch of the government as well. This will enable the members of the legislature and the people of the State to have the fullest possible information with respect to suggestions made, the objective, of course, being harmony as between public desire and legislative enactment. The subjects presented for the consideration of the general assembly are as follows:

- First: Changes in the laws creating and maintaining the public school system.
- Second: The relation between coal operators and miners, and particularly the regulation of the weighing of coal at the mines and the guarantee of measurable purity to the consumer.
- Third: The change in our primary and general election laws which will provide for the direct selection at the primary of candidates for United States Senator, and for filling Senatorial vacancies occasioned by death, resignation or removal.
- Fourth: The repeal of the 1914 appropriation bill for the purpose of effecting economies in the expenses of the State government.

- Fifth: A revision of the automobile license law which will place the funds so derived in the Highway Department exclusively.
- Sixth: Amendment of the general code for the purpose of safeguarding and protecting the Initiative and Referendum.
- Seventh: The placing of all revenues derived by departments in the treasury of the state each week.
- Eighth: A revision of the banking laws which will enable the state banks to adjust themselves to the provisions of the Currency Bill passed by the federal government.
- Ninth: A provision conveying the right of municipalities to issue bonds in case of municipal ownership of public utilities, if they are self-supporting.

I know of nothing more fitting than that the General Assembly of our state should be brought together for the primary purpose of adjusting our school system to the progress of the day. The Constitution, as amended, carries a direct mandate to the General Assembly in these words:

"Provision shall be made by law for the organization, administration and control of the public school system of the state, supported by public funds, provided that each school district embraced wholly or in part within any city, shall have the power by referendum vote to determine for itself the number of members and the organization of the district board of education, and provision shall be made by law for the exercise of this power by such school districts."

The ruling thought in this provision is that while the State gave to municipalities increased rights of home rule, it reserves to itself the original control of the school system. There is nothing more fundamental in our scheme of State government than the principal of giving to the law-making body such power as will insure a unified control over the educational system of the State. If the police power of the Commonwealth is to be exercised for the prevention of crime, the protection of property, the preservation of human rights, the prevention of disease and the conservation of public health, then public policy certainly demands lodgement of positive power in the same hands as a guarantee against sectional atrophy or neglect in our educational system.

The general assembly at its last session authorized a survey of school conditions by a commission appointed by the Governor. This organization has done its work so competently as to render the service so given a distinct contribution to our people. The formal report of the commission will be submitted in full to the general assembly. It will be noted that while conditions in both the city and rural schools need legislative attention, it is suggested that at this time we direct our efforts to the rehabilitation of the rural schools where the necessity for changes is more pressing. Every student of economic conditions agrees that the general welfare of the city and country alike calls for vitalizing treatment of rural life through legislation. The rapid growth of the cities has brought about not only an increased demand for labor, but it has carried with it so many advantages in living that the tide of humanity from the farm to the city compels the dedication of our energies to the problems of the country. Country schools in Ohio, as in every other State, have in many sections drifted into a deplorable condition as a direct result

of a system designed originally for conditions that no longer exist. There can be nothing more deeply rooted in justice than the proposition that the country communities are entitled to the same educational advantages enjoyed by the cities. Speaking generally, farms are assessed for taxation at a valuation ratio as high or higher than city property, and yet the same rate of taxation levied on farm property does not enable rural communities to maintain their public works and give to their children the facilities for education that are found in the cities. The advantage with the city comes from a policy of consolidation which enables the dollar to go farther, and a given expense takes care of a large number of pupils.

It will be observed that the commission lays stress on the subjects of consolidation, supervision and the training of teachers. These three features of educational work have yielded such beneficial results that no one questions the wisdom of the plan. If it does well in the cities all over this country, then its adoption in the rural communities will work to the same end. In the more populous and prosperous parts of the State, consolidation and supervision in limited degree have been tried out with results so advantageous that few families would suggest a return to the old order of things. Some counties are poor in property resource, and yet the brave people in the hill sections have done their part as citizens in the industrial days of peace and the emergency days of war. The time has arrived in the life of this great Commonwealth, rich in its resources, citizenship and patriotism, to take hold of the conditions which inevitably penalize the poor sections with inefficient schools.

I recommend, therefore, with all earnestness, such changes in existing law as will enable every county to make consolidation of districts, where desired, and to enjoy efficient supervision and the service of trained teachers. This justifies state aid, the Commonwealth providing half the cost of supervision in every county. The State, under the Constitution, is given a stated authority, and it must assume the responsibility which goes with it. Educational authorities in every part of the United States are agreed that the step this State is about to take will give it high rank in matters of education. Every member of the general assembly who has, by the circumstance of time and events, been enabled to participate in this great work will find that it is his greatest contribution to the race.

At the last session of the general assembly a considerable sentiment was manifested in favor of the passage of the so-called Coal Screen Bill. It was deemed wise to delay this legislation until the special session in order that an exhaustive investigation could be made by a commission competent to develop and weigh every consideration that joins to the subject. This commission, appointed by the Governor, upon authority given by the general assembly, labored throughout the summer and fall. Its report will come to our honorable body in due form. Those who are familiar with the scope and results of the inquiry are surprised to know how important the whole subject is in the industrial affairs of the State. It will be noted that criticism is made by the commission of the negligent manner in which mining is carried on. Such a percentage of the mineral is wasted that the practice seems to be more or less a menace to humanity in that it strikes a dangerous blow to the principle of conservation. The Almighty intended these store houses of fuel for many generations, and in time the State must see to it that the rights of those who follow us are

respected. The report of the commission on this phase of the question is a distinct contribution to the literature of the subject. I question the wisdom of dealing with the feature of conservation now. If the change were imposed on the operators of this State they would doubtless be placed on an unfair competitive base with other States which have not given the subject serious consideration. If the coal States could act in concert the remedy could be imposed without hardship. In the absence of any probability of joint legislative enactment by the coal States, the federal government should act, since it is quite obviously a matter of national concern. In view of all attendant circumstances, I recommend that the suggestion in behalf of conservation be laid aside for the time and the general assembly consider the question of the mine run.

The justice of the claim that the workman should be paid for what he mines is unchallenged by any fair-minded person, it being understood, however, that regulations be imposed which will reward the miner for the merit of clean coal and penalize careless work.

The bill recommended by the commission is so much better in every way that the measure under discussion at the last session that the advantages accruing from this inquiry are at once apparent. The investigating body has recognized also the importance of protecting the third party in interest — the consumer — and this detail, with obvious wisdom, is consigned to the Industrial Commission. I am of the opinion that the provision with reference to an increase in the force of foremen can also be held in abeyance for the time. The Industrial Commission has perfected the most efficient safety department in the history of the mining operations of the State. Increased vigilance on the part of this department has been induced by the report of the commission, and it would seem to make adequate provision for the present. We must be mindful at all times of the importance of progressing in legislation with such pace as will enable the interests involving large investments to adjust themselves to changes made. I think every member of the general assembly who recalls the circumstances which jointed to the action taken at the last session on the subject of mine run, will concede that in common good faith the bill should pass. It will be recalled that a like measure passed March 9, 1898. The Supreme Court, however, held that to be unconstitutional. Since then the Constitution has been changed to provide as follows:

"Laws may also be passed * * * to provide for the regulation of methods of mining, weighing, measuring and marketing coal, oil, gas and other minerals."

The bill as presented by the mining commission differs from that passed in 1898 in that the rights of the operators are now amply safeguarded as against the further disadvantage of being required to accept and dispose of too large a percentage of fine or slack coal in their product.

In the closing days of the regular session of this assembly the seventeenth amendment to the Constitution of the United States received formal and complete ratification. This amendment provides

First: "For the election of United States Senators by the direct vote of the people instead of as formerly by the State legislatures.

Second: "When vacancies happen in the representation of any State in the Senate, the executive authority of such State

shall issue writs of election to fill such vacancies; provided, that the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct."

Taking these in order, the first provision requires certain changes to be made in our primary and election laws to provide the necessary machinery for the new manner of election.

The second provision also necessitates certain action on the part of the legislature. The federal Constitution, as it formerly read, conferred by its terms power on the state executive to fill any vacancies that might occur in the representation of any state in the Senate of the United States until the legislature of the State should meet and fill such vacancies in the regular manner. This is now changed by that part of the seventeenth amendment quoted in full above. If a vacancy should now occur before the Governor can act power must have been conferred upon him by the Legislature of his State and, unless such power has been conferred by act of the law-making body, there is no way of filling such a vacancy until a special election shall have been had in the manner provided by law. An instance of this very kind occurred in the sister State of Alabama, being brought about by the death of Senator Johnston of that State. The Governor desired to fill the vacancy by appointment, but it was held that he could not do so as no power had been given him by the Alabama legislature since the adoption of the seventeenth amendment to the federal Constitution.

I therefore recommend the passage of a bill which would provide for the nomination of candidates for United States Senator in exactly the same way as State officers are nominated. This gives force and effect to the spirit of both the national provision for the direct election of senators by the people and the State-wide primary law passed in this State. The people now have the right to elect the Senators. The change herewith suggested would place the nomination of candidates upon the base of popular government.

It becomes our duty, also, by force of a change in the federal Constitution, to provide by legislative enactment for the filling of a vacancy occasioned by death, resignation or removal. We have operated for years under the arrangement of having the Governor fill any vacancies in State offices by appointment until such time as the people could elect. This plan with reference to the Senator obtained here in the past and is being carried out in other States under the federal amendment, and I recommend its adoption here.

It will be gratifying to the members of the general assembly responsible for the passage of the budget bill to know that under its operation tremendous economies are being affected. Large sub-divisions of government all over the world are adopting the system. The science of the budgetary plan consists in segregating departmental expense. The work is placed in charge of an expert who labors the whole year. His service and in the information which he derives will so buttress the committees of finance in both the House and senate that the disbursements of the State will be placed on a purely business base. It is my information that the budget chief, through the chairmen of the committees on finance, will point out to you very large economies which can be made by the repeal of the 1914 appropriation bill and the passage of a budget to replace it. It is my recommendation that this be done.

At the last session the Warnes Automobile Law was passed. It provided that two-thirds of the net proceeds of automobile licenses should pass to the general revenue fund of the State and that one-third should be used for the repair, maintenance, protection, policing and patrolling of the public roads and highways of the State under the control of the Highway Department.

The development of the automobile industry and the increased utility of this form of mechanism make it certain that the police power of the State must be exercised in added measure for the control and regulation of this traffic. The science of government suggests concentration of all kindred activities; and in keeping with this principle it is herewith recommended that the Warnes Law be so changed as to place all funds under it derived with the Highway Department. Under this plan there can be co-ordination of the state's activities with reference to the maintenance, protection, policing and patrolling of the public highways.

The principle of direct legislation is so well grounded in genuine democracy, and laws based upon it will result in such ultimate good to the state, that some legislation should be provided for the fullest protection of the Initiative and Referendum.

It is but a simple narrative of the facts to state that the same interests in the commonwealth which tried in the first instance to prevent the adoption of the Initiative and Referendum sought, with the arrogant and corruptive use of money and the reprehensible methods of forgery and perjury, to bring these measures into such disrepute as to bring about their repeal. The effort to defeat progressive and humanitarian laws which was made during the last summer—particularly the Workmans Compensation and the Taxation Measures—with their defensible tactics which joined to it, are so well known as the result of decisions by the highest judicial tribunal in this state and the Secretary of State that they need not be recounted here except to observe that they have rendered necessary the passage of amendments to the general code which will provide against abuses and at the same time preserve the principle.

Other states which have adopted the Initiative and Referendum found it imperative to refine and strengthen the laws as experience suggested. A reform of such magnitude can hardly be expected to work perfectly at the outset. Every great invention, even though conceived along fundamentally correct lines, must be perfected by experience. This observation should be a sufficient answer to those who sincerely, or otherwise, hold any misgivings as to the wisdom of the Initiative and Referendum because of the frauds which were perpetrated last summer.

The constitution provides that the bill which is to be initiated or upon which a referendum is sought must be published in full on the petition. Other states have devised the plan of publishing also a synopsis of not more than seventy-five words. It seems to me that this could wisely be adopted.

In Montana, California and Maine the checking system has worked well, and it is now proposed in a constitutional amendment in Missouri. Under this arrangement the circulator of a petition in a county containing a city where registration of voters is required shall submit the petition to the deputy supervisors of elections for the purpose of comparing the signatures with those on the registration lists. If names are contained that are not found on the registration lists the burden of proof as to the legality of the signatures shall be upon the circulator.

Court decisions in Oregon and in this state would suggest a provision that if five or more fraudulent signatures are found on a petition circulated by any person, all signatures shall be presumed to be fraudulent, and the burden of proving them genuine shall be on the person filing the petition.

The constitution does not provide for a hearing, a procedure which is obviously necessary and which, it is admitted should be before the Secretary of State. A law should be passed which will facilitate the matter of determining the legitimacy of any initiative or referendum project. This has been done in Oklahoma.

The underlying spirit of the corrupt practice laws in the state and nation is the ascertainment of the influences behind candidates or measures. We can with profit compel a sworn itemized statement when the petition is filed showing all money or things of value paid, given or promised for circulating such petitions. The experience in Oregon and in Ohio would seem to point out the necessity of having no one circulate petitions in any county except legal electors of the sub-division.

A vicious practice was established of signing the same name more than once to the same petition. This should be made a misdemeanor; and any one who steals or attempts to steal or wilfully destroys or mutilates a petition which is being or has been legally circulated, should be deemed guilty of a felony or misdemeanor.

The notarial abuses have been a disgrace to the state, and a law should be passed providing that any notary who takes and certifies to any affidavit to which the oath or affirmation of the affiant thereto has not been taken should be guilty of a misdemeanor.

A stringent measure should also be adopted with reference to forgery and perjury.

In order to correct the abuses growing out of circulating the petitions for pay, the Oregon suggestion of permitting no one to file a petition with more than two hundred names upon it might be adopted.

It seems to me also that the possibility of intimidation should be provided against by prohibiting the circulation of a petition in any factory, industrial plant or mercantile establishment by the owner, manager, foreman or any other person acting in a managerial or supervisory capacity.

Section 24 of the general code provides that every Monday each state officer, department, board or commission shall pay to the treasurer of state all proceeds of fees, penalties, fines, costs, sales, rentals or otherwise collected during the preceding week, and shall at the same time render a statement of the same to the auditor of state. Subsequent to the passage of this act certain laws were passed which authorized the receipt by a number of departments and commissions of licenses and other collections which could not be well construed as being within the purview of the language of section 24. Certain departments also had the right to pay certain expenses out of such collections before accounting for the same. As it is in the interest of an efficient accounting financial system that all state moneys, no matter from what source or by whom or by what branch of the state government received, should pass through the state treasurer's office, a comprehensive amendment is now suggested requiring every person or agent of the state, no matter how designated, who receives any money for the state, no matter how the same may be termed, to deposit the same weekly with the state treasurer and render report thereof to the state auditor.

The Currency Law recently passed by Congress will place the state banks at some disadvantage unless they are, by state authority, permitted to become members of the federal reserve banks, and are given the privilege now accorded to national banks to act as trustee, executor, administrator, or registrar of stocks or bonds under certain conditions. The importance of these two changes in the banking laws of the state are so apparent that they need not be elaborated upon.

Section 4 of article 18 of the constitution (The Municipal Home Rule Amendment) as adopted in the fall of 1912, provides as follows:

"Sec. 4. Any municipality may acquire, construct, own, lease and operate within or without its corporate limits, any public utility the product or service of which is or is to be supplied to the municipality or its inhabitants, and may contract with others for any such product or service. The acquisition of any such public utility may be by condemnation or otherwise, and a municipality may acquire thereby the use of, or full title to, the property and franchise of any company or person supplying to the municipality or its inhabitants the service or product of such utility."

Section 3939 of the general code states the purposes for which the council of a municipality may issue bonds. The Mills Bill (H. B. 351) adds to these purposes the following:

"28. For acquiring, constructing, improving or extending within and without its corporate limits, any public utility, the product or service of which is or is to be supplied to the municipality or its inhabitants."

Further, in the same bill section 3949 was amended in this way, under the present law there are exempted from the limitations of the Longworth Act any bonds issued for the purpose of purchasing, constructing, improving and extending waterworks when the income from such waterworks is sufficient to cover the cost of all operating expenses, and interest charges and to place a sufficient amount to a sinking fund to retire such bonds when they become due. The change proposed by the Mills Bill is to strike out "waterworks" and insert "public utility" in lieu thereof, thus making exempt from the limitations of the act bonds issued on account of any public utility when the income from such utility reaches the standard now set for waterworks bonds.

The Mills Bill further authorizes the private sale by the municipal treasurer of bonds which remain unsold after having been advertised and offered at public sale. The 79th general assembly enacted two sections of the general code, both numbering 3939 and differing from each other in their terms. To straighten out this conflict it became necessary to repeal both sections as contained in volume 102 Ohio Laws. Unfortunately in attempting to do this the language of the Mills Bill was so changed by amendment as to apply to more sections of the general code than the particular two sought to be repealed. To prevent this it became necessary to disapprove the Mills Bill. The recommendation is submitted for the repassage of the bill as a matter of good faith with your honorable body and for the further reason that the public interests will be conserved by this legislation. The Longworth act was passed in 1902, and never contemplated the conditions developed by the change in the constitution. The measure suggested now not only makes the

Longworth Law harmonious with the present situation, but places the operation of municipally owned utilities on its own footing. Those who favor municipal ownership contend that the plan will yield not only improved service but lower rates. There will be no way of demonstrating this except by the disassociation of the utility owned by the city and the purely municipal fiscal operations.

On the other hand, those opposing municipal ownership claim that apparent low rates and profitable operation, are mere matters of book-keeping, and that the city as a whole is assessed through direct taxation to make up a deficit growing out of inadequate rates or incompetent management or both. The Mills Bill will establish the wisdom of municipal ownership where occasion calls for it, and with equal force reveal any lack of the necessity of the project if that should be the case in other cities.

I deem it proper to submit to the assembly a brief statement of the fiscal affairs of the State. The loss from the floods was very severe. The items making up the expense taken from the auditor's records are as follows:

Ohio National Guard, for relief work.....	\$300,000.00
Liquor tax refunders caused by the flood.....	75,000.00
Board of Public Works to repair flood damages	345,000.00
Relief for flood victims and incidental flood ex-	
penditures	300,000.00
making a total of over a million dollars.	

In addition to this there were other extraordinary expenses which it was necessary to pay in the year just past. Among the important items may be named the cost of printing and circulating the constitutional amendments and advertising same, \$150,000.00; advertising expenses incurred by the constitutional convention, \$63,000.00; Perry's Victory Centennial, \$110,000.00; deficiencies authorized by the emergency board and debts of 1912, \$215,023.23; unauthorized deficiencies and claims and debts of 1912, \$215,523.23; unauthorized deficiencies and claims against the state on liabilities of former years, \$98,813.63.

Notwithstanding these disbursements occasioned by circumstances beyond our control, there is in the treasury today more money than at any time in the history of the state. The auditor of state in his report states that for the first time the records of the commonwealth will show at the end of the fiscal year an unencumbered cash balance, free of all liabilities, appropriations, etc.

In this connection, it is of interest to know that under the competitive bid plan for state funds, there was derived this year from interest the sum of \$277,165.89 — sufficient to pay the entire cost of the following departments: Executive, Lieutenant Governor, Attorney General, Treasurer of State, Secretary of State (main office), and Secretary of State (vital statistics). Since this plan was put into operation under the administration of Governor Harmon the state has received as interest on public moneys \$850,924.56.

In the past the emergency board has been really a second legislature, without any limitations whatsoever. At the regular session the law was changed, placing a positive limitation on the board, and appropriating for its use a stated sum beyond which it cannot go. It has been a common practice for many years for the emergency board to authorize

certain expenditures which were regularly appropriated at the subsequent session of the legislature, the result being that no year has shown its real expense because inheritances came from the previous annual period. The real situation can be made more comprehensive when it is shown that the administration of Governor Herrick inherited deficiencies amounting to \$152,404.54; Governors Pattison-Harris, \$304,576.71; Governor Harmon, \$144,530.16; and the present administration, \$313,836.86. Under the new plan not a dollar of the expense incurred during the present year by the emergency board will go into the next year because the appropriation for the emergency board was carried in the budget of 1913. The conveyance of expense from one administration to the next is done away with.

In my message to the regular session I congratulated the members of the assembly on the privilege of participating in the great movement of reform which had been consigned by positive mandate of the people. I am sure that the circumstances warrant the expression of executive felicitations to the legislative branch at this time upon the demonstrated wisdom of your work. The laws reflect not only a broader humanity, but the advantages along practical and economic lines are very striking. The present satisfactory condition of the state's finances is due, in considerable degree, to the policy of making each state department, which is operated for the regulation of business, self-supporting, by the collection of fees from the interests which profit by state supervision. A contributing factor also is the consolidation of state departments and the elimination of duplication in expense and human energy. The merging of the labor and agricultural departments is yielding the results which were procured by Governor Harmon in putting together the state institutions under the control of the Board of Administration. The first year's operation under the new plan in Governor Harmon's administration saved the state over \$400,000.00. The budget department assures us that the economics next year over 1913 will be approximately \$400,000.00. There is every warrant for the belief that as the result of reforms within the state government, you will be enabled, in writing the budget for 1914, to make up the smallest appropriation bill in years.

The State Tax Commission has just submitted a report which shows that if the Warnes Taxation Law had not been passed the cost to the counties in Ohio, assuming that no increase were made over 1912, would have been \$2,373,839. The commission estimates that at an outside figure the cost this year of assessing real and personal property of paying boards of complaints and district assessors will be not to exceed \$883,278, a saving of approximately \$1,500,000.

No program of legislation has ever been so viciously attacked and so misrepresented as the laws which were passed at the regular session; and yet every succeeding day they rise higher in public estimate, and the character and purpose of the opposition become more apparent. One million men and women in the shops and institutions of this state go to their labors now protected by the Workmen's Compensation Law. Government for the people and by the people, as an institution, has never been more eloquently justified than by this humane provision.

It will be observed that the matters presented for your consideration are the aftermath of the last session, in large degree. I urge upon you the importance of taking such action, as in your judgment, seems fitting, and bringing about the conclusion of your work

at the earliest day possible, consistent with the magnitude of the task imposed. The country is now called upon to adjust itself to tariff and currency changes, and within the state the reforms brought about by the constitution are being set in motion. You will not only give vitality to the work of the regular and special sessions, but you will conserve the interests of the commonwealth in contributing your part to an era of legislative rest.

If emergency matters develop during the course of the session, they will be submitted by subsequent messages.

In Testimony Whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 6th day of January, in the year of our Lord, one thousand nine hundred and fourteen.

JAMES M. COX,
Governor.

Pursuant to the foregoing proclamation, the members of the House of Representatives of the eightieth General Assembly met in the hall of the House this 19th day of January, A. D., 1914, at ten o'clock a. m. and were called to order by the Speaker, Charles L. Swain.

Prayer was offered by the Rev. T. H. Campbell, of Columbus.

The speaker ordered the clerk to read the proclamation of the governor, calling the extraordinary session, which was done.

The Speaker ordered the roll of the House to be called and 113 members answered to their names.

Those absent were: Messrs.—

Bigelow,
Frick,

Kilrain,
Read,

Reppert,
Scott,

Vollmer,
Walsh,

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Lowry, further proceedings under the call were dispensed with.

Mr. Lowry offered **H. R. No. 1.**

Resolved, That a message be sent to the Senate informing that body that the House of Representatives is organized and ready for the transaction of business.

Mr. Lowry moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The resolution was adopted.

Mr. Kennedy offered **H. R. No. 2.**

Resolved, That the sergeant-at-arms be, and he is hereby, authorized and directed to make his requisition upon the supervisor of public printing for the following stationery for the use of the House, to-wit:

Three hundred individual letterheads and envelopes for each representative and three thousand for the clerk of the House: Three-fourths of said number of envelopes for each representative and clerk to be of the size known as number 6 $\frac{3}{4}$ and one-fourth to be of the size known as number 10. The name of each representative and said clerk to be printed on the letterheads and envelopes allotted to each respectively.

Mr. Lowry moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The resolution was adopted.

Mr. Acker offered **H. R. No. 3.**

Resolved, That the clerk is hereby authorized to rent a sufficient number of typewriters and desks for the use of the House stenographers and clerks during the present session, and that the rental for the same shall be paid out of the contingent fund of the House of Representatives, on the order of the speaker.

Mr. Acker moved that the rules be suspended, and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 94, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kennedy,	Rhulman,
Anderson,	of Morrow,	Kessler,	Robinson,
Appenzeller,	Davis,	King,	Schaefer,
Beatty,	Deaton,	of Ashtabula,	Schweikert,
Behne,	Detrick,	King, of Franklin,	Shanley,
Beyer,	Dickson,	Kramer,	Siebert,
Black,	Diser,	Lambert,	Smith, of Butler,
of Hamilton,	Donaldson,	Leist,	Smith,
Boggs,	Doster,	Lowry,	of Morgan,
Bonnell,	Duffey,	Lustig,	Snyder,
Bour,	Ertel,	McGuffey,	of Hamilton,
Brennan,	Etling,	Mills,	Snyder,
Brown,	Fell,	Morris,	of Pickaway,
of Ashland,	Fellinger,	Mueller,	Sweeney,
Cameron,	Freeman,	Murphy,	Tetlow,
Capelle,	Fulton,	Nungesser,	Thatcher,
Carroll,	Gilson,	Nye,	Thomas,
Chapman,	Guthery,	Orrison,	Warnes,
Clark,	Hite,	Pence,	Welsh,
Colter,	Hoaglin,	Plank,	White,
Conover,	Hoffman,	Plumb,	Williams,
Cooper,	Hoover,	Quinlisk,	Winans,
Cowan,	Horwitz,	Reid, of Fayette,	Wintermute,
Criswell,	Hunter,	Reighard,	Winters,
of Coshocton,	Jackson,	Reynolds,	Woodworth,
	Jenkins.		Young—94.

The resolution was adopted.

Mr. Warnes offered **H. R. No. 4.**

WHEREAS, There is a vacancy in the number of stenographers authorized under H. R. No. 6 of this assembly;

Resolved, That to fill such vacancy the speaker of the House is hereby authorized to appoint a secretary during the present session of this assembly, such secretary to be paid in the same manner and at the same rate as clerks of the House are paid.

Mr. Warnes moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 93, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Kennedy,	Robinson,
Anderson,	Deaton,	Kessler,	Schaefer,
Appenzeller,	Detrick,	King,	Schweikert,
Beatty,	Dickson,	of Ashtabula,	Shanley,
Beyer,	Diser,	King, of Franklin,	Siebert,
Black,	Donaldson,	Kramer,	Smith,
of Wyandot,	Doster,	Lambert,	of Morgan,
Boggs,	Duffey,	Leist,	Snyder,
Bonnell,	Ertel,	Lowry,	of Hamilton,
Bour,	Etling,	Lustig,	Snyder,
Brennan,	Fellinger,	McGuffey,	of Pickaway,
Brown,	Freeman,	Mills,	Stivers,
of Ashland,	Fulton,	Morris,	Sweeney,
Cameron,	Gilson,	Mueller,	Tetlow,
Capelle,	Guthery,	Murphy,	Thatcher,
Carroll,	Hite,	Nungesser,	Thomas,
Chapman,	Hoaglin,	Nye,	Vonderheide,
Clark,	Hoffman,	Orrison,	Warnes,
Colter,	Holl,	Pence,	Welsh,
Conover,	Hoover,	Plank,	White,
Cooper,	Horwitz,	Plumb,	Williams,
Cowan,	Hunter,	Quinlisk,	Winans,
Criswell,	Jackson,	Reighard,	Wintermute,
of Coshocton,	Jenkins,	Reynolds,	Winters,
Criswell,	Kathe,	Rhulman,	Young—93.
of Morrow,			

The resolution was adopted.

Mr. White offered **H. R. No. 5.**

WHEREAS, This House of Representatives of the Eightieth General Assembly of the state of Ohio has heard with profound sorrow and regret of the death of Honorable Peter J. Collins, of Canton, who represented Stark county in the Eightieth General Assembly of the state of Ohio; and,

WHEREAS, In his death the people of his county have lost a sincere friend and conscientious representative and the state of Ohio an honest, honorable and patriotic citizen; therefore, be it

Resolved by the House of Representatives: That we honor and cherish the memory of the late Honorable Peter J. Collins and extend to his family and friends our deep and lasting sympathy and our sorrow that he is no longer with us in the deliberations of this body; and

Resolved, That as a further evidence of our respect to his memory this resolution be adopted by the House, spread upon the journal thereof and a copy be engrossed and transmitted to the family of the deceased.

Mr. White moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The resolution was unanimously adopted.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has convened in extraordinary session and is ready to proceed to business.

Attest:

W. V. GOSHORN,
Clerk.

The clerk read the resignation of Adam Frick, of Scioto County.

The Speaker granted leave of absence to Messrs. Bigelow, Scott, Read, and Reppert.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following resolution, in which the concurrence of the House is requested:

S. J. R. No. 1—Mr. Green. That a committee be appointed to notify the Governor that the General Assembly is in session and is now ready for business.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lowry moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 83, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Schweikert,
Anderson,	of Morrow,	of Ashtabula,	Shanley,
Appenzeller,	Davis,	King, of Franklin,	Siebert,
Beatty,	Detrick,	Kramer,	Smith, of Butler,
Behne,	Dickson,	Lambert,	Smith,
Black,	Diser,	Leist,	of Morgan,
of Hamilton,	Doster,	Lowry,	Snyder,
Black,	Duffey,	Lustig,	of Hamilton,
of Wyandot,	Etling,	McGuffey,	Snyder,
Boggs,	Fell,	Mills,	of Pickaway,
Bonnell,	Fellinger,	Morris,	Sweeney,
Bour,	Freeman,	Mueller,	Thatcher,
Brennan,	Fulton,	Nungesser,	Thomas,
Brown, of Union,	Gilson,	Nye,	Vonderheide,
Cameron,	Hite,	Pence,	Warnes,
Capelle,	Hoffman,	Plank,	Welsh,
Chapman,	Holl,	Quinlisk,	White,
Clark,	Horwitz,	Reid, of Fayette,	Williams,
Conover,	Hunter,	Reighard,	Winans,
Cooper,	Kathe,	Reynolds,	Wintermute,
Cowan,	Kemerer,	Rhulman,	Winters,
Criswell,	Kessler,	Robinson,	Woodworth,
of Coshocton,		Schaefer,	Young—83.

The resolution was adopted.

The Speaker appointed as members of the committee on the part of the House, Messrs. Lowry, Duffey, Etling, Reid and Winans.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

To the General Assembly:

I respectfully submit for your consideration the following subjects:

FLOOD PREVENTION.

The flood of last year, with the resulting loss of human life and the stupendous destruction of property, brings us to a clear realization

of the fact that there does not exist any law under which the communities now affected and which may fall in the wake of a like calamity in the future, can work out measures of protection. It is unnecessary for me to remind you of the almost unparalleled tragedy of last spring. The genius and courage of our citizenship have resulted in the restoration of normal conditions in so far as it is possible to proceed under existing statutes.

The subject of flood prevention has never been given serious consideration until now; and yet there is nothing more vital than the passage of a law which will give to community or communities the authority to protect itself against the excesses of nature. A tentative bill has been drawn by the Dean of the Ohio Bar, the Hon. John A. McMahon, of Dayton. He has brought to this work an order of concentration and months of diligent labor, and the result of his industry is, I believe, a distinct contribution to our commonwealth. Assisting him in the task along practical lines has been a corps of engineers who have had long experience in matters affecting large drainage and flood prevention projects; so that while the legislation suggested is new to this State, the experience of other sections has been carefully investigated and turned to account. It will be observed that the plan gives to communities the right to form political sub-divisions without regard to township or county lines for the specific purpose of joining together the energy and the resource of the sections affected in the drainage area for the common purpose of protection. The bill may, in some respects, appear drastic, but with a full knowledge of every consideration which joins to this very distinct emergency, I am of the opinion that the success of the whole plan depends upon a very vital legislative enactment.

It should be stated further that the most careful provision is made for the complete safeguarding of every interest within the sub-division. I most earnestly recommend the enactment of this legislation.

DUPLICATE WARRANTS.

Under the present status of our law when a warrant drawn by the auditor of state on the treasurer of state is lost or mislaid the payee thereof is without remedy until the General Assembly by statute authorizes the issuance of a new warrant. This is not a business-like method and frequently entails great hardships on such payee. It has been suggested that the state should adopt the practice of some of the great financial institutions of the country and authorize the state auditor to issue a new warrant on the presentation to him of proper proof of such loss and a bond to indemnify the state against any loss by reason of the duplicate warrant being issued. The adoption of this change is recommended.

BOARD OF TRUSTEES OF DELAWARE UNIVERSITY.

Delaware University is organized and conducted under certain sections of the General Code peculiar to it. Being an institution under the control of the Methodist Episcopal Church, its board of trustees is chosen from the different conferences of the state. On account of the consolidation of some of these conferences, it becomes desirable to make some change in the method of the selection of the governing body of the university. I recommend that legislative provision be made for that emergency.

WOOSTER UNIVERSITY.

The University of Wooster, which is an educational university under the control of the Presbyterian Church, was organized and is conducted like that at Delaware, under some sections of the General Code peculiar to it. There are some material advantages of which it can avail itself if it were permitted to denominate itself a college rather than a university, or to use the terms interchangeably so far as it is concerned. I recommend the relief measure which is requested by the trustees.

THE CHILDREN'S CODE BILL.

The intention of the committee which drafted the children's code bill, Senate Bill No. 18, of the former session, was that any girl over sixteen and under eighteen years of age who had reached a certain educational standard, should be permitted to be employed at certain occupations when she could furnish her employer a schooling certificate, but no provision was made for issuing a schooling certificate to girls between the ages named. This can be done, however, by the change of the word "eighteen" to "sixteen" where its occurs in one place in section 7766 of the General Code, and that action is recommended.

TERMS OF COMMON PLEAS JUDGES IN THE SEVERAL COUNTIES OF THE STATE.

After the conclusion of the former session it developed that in the bill which carried into effect the constitutional provision constituting each county a separate common pleas judicial district, there was no provision for Seneca county and that the date of the beginning of the term of the judge in Putnam county was not in accord with the conditions in that county. A bill to correct this should be passed.

OFFICIAL SEALS BILLS.

In the clerical preparation of the judicial act, Senate Bill No. 36 of the former session, the word "officials" was substituted for "official seals," thus creating an anomalous condition of affairs, the correction of which is a simple matter and should be done.

THE PUBLICATION AND DISTRIBUTION OF THE REPORTS OF APPOINTIVE STATE OFFICERS.

The state is put to considerable expense each year in printing a large number of reports of the different appointive state officials. While these are all valuable, there are some for which there is more demand than for others. The result is that of some classes of these reports there is being accumulated a great number of undistributed copies. Again, owing to the consolidation of a number of departments, it becomes necessary to make some provisions with regard to the consolidation of reports. The Secretary of State has prepared a tentative bill for your consideration which attempts to accomplish this consolidation and at the same time to prescribe such a number of copies of each report as will be sufficient in each case without being excessive. Its passage is recommended.

THE PANAMA-PACIFIC EXPOSITION.

The 79th General Assembly made provision for the appointment of a commission which should have charge of the Ohio exhibit at San Francisco in 1915. An appropriation of two thousand dollars was made to pay the expense of this commission in the selection of a site for the Ohio building. This appropriation has been exhausted. As it became necessary to take some steps by way of preparation for the erection of a building on the site selected, some further expenses have been incurred. Ohio, as one of the foremost manufacturing and agricultural states of the Union, should be creditably represented. The suggestion from the commission carries an appropriation of one hundred thousand dollars. This sum is not so large as has been provided by some of the other states, but a succeeding General Assembly will have met before the exposition opens and any further needs of the commission can be taken care of by it.

It would be useless for the Assembly to take any action without making it an emergency measure. The exposition opens in about a year, and the work of constructing the Ohio Building must be begun at the earliest possible moment.

THE NOTARY PUBLIC BILL.

In the investigation conducted by the secretary of state during the year 1913 it developed that many notaries public are in the habit of certifying that they have administered oaths or taken acknowledgements when in fact that have not done so. This is a practice that should be stopped as it may lead in many instances to miscarriage of justice. A law should be passed providing for the prosecution of a notary who fails to perform his whole duty in this regard. In addition to a fine the notary convicted ought to be subject to the loss of his commission and held ineligible for reappointment for a period of three years.

JAMES M. COX,
Governor.

January 19, 1914.

Mr. Lowry moved that the message be referred to the proper committees.

The motion was agreed to and the speaker referred the several subjects of the message as follows:

Flood Prevention, to the committee on Judiciary.

Duplicate Warrants, to the committee on Appropriations and Finance.

Board of Trustees, Delaware University, to the committee on Universities and Colleges.

Wooster University, to the committee on Universities and Colleges.

Children's Code, to the committee on Labor.

Terms of Common Pleas Judges, to the committee on Judiciary.

Official Seals, to the committee on Judiciary.

Publication and Distribution of Reports, to the committee on Public Printing.

Panama-Pacific Exposition, to the Committee on Appropriations and Finance.

Notary Public Bill, to the committee on Judiciary.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following resolution, in which the concurrence of the House is requested:

S. J. R. No. 2—Mr. Weygandt.

Relative to recess of General Assembly to listen to address of Senator Pomerene.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lowry moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

Mr. Vonderheide moved to amend the resolution as follows: "Strike out all after the word 'representatives.'"

The motion was disagreed to.

The question recurred: "Shall the resolution be adopted?" The yeas and nays were taken, and resulted—yeas 91, nays 1, as follows:

Those who voted in the affirmative are: Messrs.

Acker,	Criswell,	Jenkins,	Rhulman,
Anderson,	of Coshocton,	Kathe,	Robinson,
Appenzeller,	Criswell,	Kennedy,	Schaefer,
Beatty,	of Morrow,	Kessler,	Schweikert,
Behne,	Deaton,	King,	Shanley,
Beyer,	Detrick,	of Ashtabula,	Siebert,
Black,	Dickson,	King, of Franklin,	Smith,
of Hamilton,	Donaldson,	Kramer,	of Morgan,
Black,	Doster,	Lambert,	Snyder,
of Wyandot,	Duffey,	Lustig,	of Pickaway,
Boggs,	Ertel,	McGuffey,	Sweeney,
Bonnell,	Etling,	Mills,	Terrell,
Bour,	Fell,	Morris,	Thatcher,
Brennan,	Fellinger,	Mueller,	Thomas,
Brown,	Foreman,	Murphy,	Venus,
of Ashland,	Fulton,	Nungesser,	Vonderheide,
Brown, of Union,	Gilson,	Nye,	Warnes,
Cameron,	Guthery,	Orlikowski,	Welsh,
Capelle,	Hite,	Orrison,	White,
Carroll,	Hoaglin,	Pence,	Williams,
Chapman,	Hoffman,	Plank,	Winans,
Colter,	Holl,	Plumb,	Wintermute,
Conover,	Hoover,	Quinlisk,	Winters,
Cowan,	Horwitz,	Reid, of Fayette,	Woodworth,
	Hunter,	Reighard,	Young—91.

Mr. Kemerer voted in the negative.

The resolution was adopted and under the provisions of the resolution, the speaker appointed as members on the part of the House, Messrs. Black of Wyandot, Brown of Ashland and White, and the House recessed until 1:30 P. M.

1:30 o'clock P. M.

The House met pursuant to recess.

The speaker, under the provisions of **H. R. No. 4**, appointed Helen Turner as stenographer.

Under the provisions of **S. J. R. No. 2**, the members of the Senate and House assembled in joint session, and the Honorable Atlee

Pomerene, Senator from Ohio, was escorted to the chair and made an address to the Assembly.

Mr. Green then moved that the joint session be dissolved.

The motion was agreed to and the members of the House were called to order.

Mr. Diser offered **H. R. No. 6.**

To provide for the investigation of the payment of two salaries to members of the House of Representatives.

WHEREAS, It has been charged that Robert Black, M. A. Warnes, Charles A. Orrison and John C. Hoffman, members of this House, have been appointed to and have held lucrative positions in the executive and administrative departments of the state government and have drawn salaries in such positions while drawing salaries as members of this House, and

WHEREAS, The payment of such salaries to members of this House for services in another branch of the state government is repugnant to the constitution, in violation of time-honored precedent and fraught with grave danger to the perpetuity of the General Assembly as an independent coordinate branch of the state government, and

WHEREAS, The constitution specifically declares that no person holding any lucrative office under this state shall have a seat in the General Assembly and excludes from this provision only "township officers, justices of the peace and officers of the militia," and

WHEREAS, It has been charged that members of this House have been paid for services in other departments of the state government by methods tending to conceal such payment from the public, and

WHEREAS, The people of Ohio have a right to know how many salaries their representatives are receiving from the state and whether or not they are entitled to sit longer in this House, therefore

Resolved, That the Speaker of this House is authorized and directed to appoint a committee consisting of four members, not more than two of whom are of the same political party and none of whom in their present term of office have drawn or are drawing any pay from any executive department of the state government.

Resolved, That said committee is authorized and directed to determine by investigation—

(1) What members of this House, if any, have in their term of office drawn or are now drawing other pay than their salaries as members of this House by virtue of employment in any other than the legislative branch of the government of the state, the source and amount of pay for such service, the means by which such employment was secured and any other matters relating thereto which the committee may deem proper.

(2) What members of this House, if any, by violation of the constitution in such lucrative service, have forfeited their right to sit in this House.

Resolved, That said committee is authorized to employ a stenographer, send for persons and papers and exercise all powers conferred by law and the constitution; to proceed with the investigation at once, continue its session until its investigation is completed and report the testimony and its findings to this House as soon as practicable.

The resolution was laid over under the rule.

Mr. Diser offered a resolution to be numbered **H. R. No. 7.**

To provide for an investigation of the mysterious disappearance of Senate Bill No. 224 at the last session of the General Assembly, and other matters relating thereto.

WHEREAS, At the last session of this House, Senate Bill No. 224 Mr. Mooney, which had passed the Senate, had been transmitted to this House and receipted for by the clerk, suddenly disappeared under unusual and suspicious circumstances, and

WHEREAS, In a statement published in the Columbus Citizen of April 30, 1913, State Auditor A. V. Donahey declared that "all along the forces of invisible government were against the measure" and that "some of the men who are enamored of the present rotten system quietly fought it at every turn," and

WHEREAS, Said A. V. Donahey further charged that Charles L. Swain, Speaker of the House was, in his opinion, responsible for the defeat of said Senate Bill No. 224, and

WHEREAS, The Cincinnati Commercial Tribune and other newspapers of the state published on authority of a Columbus correspondent that said Senate Bill No. 224 had been stolen, and

WHEREAS, These charges and the circumstances attending the disappearance of said bill seriously reflect upon the honor and integrity of this House and its presiding officers, therefore

Resolved, That we owe it to ourselves and the people of Ohio to make a prompt and thorough investigation of these charges and the cause of the disappearance of Senate Bill No. 224,

Resolved, That a committee of four, consisting of C. B. Winters, John Kramer, C. A. Reid and Wm. Nye is hereby appointed to conduct such investigation.

Resolved, That said committee is authorized to send for persons and papers and to exercise all power conferred by law and the constitution.

Resolved, That said committee shall employ a stenographer, proceed with said investigation at once, continue its session until its investigation is completed and report the testimony and its findings as soon as practicable.

Mr. Black raised a point of order that the resolution did not contain subject matter that could be considered under the call of the Governor.

The Speaker announced that the point of order would be taken under advisement.

On motion of Mr. Warnes, the rules were suspended and the following bills were introduced and read the first time:

H. B. No. 1 — Mr. Warnes.

To amend section 6301 and 3609 of the General Code (as contained in the act entitled "An act to amend section 6290 et al. of the General Code," 103 O. L. page 763), relating to motor vehicles, by subdividing section 6301 into section 6301 and section 6302, by changing the section number 3609 to 6309 and amending said section.

H. B. No. 2 — Mr. Welsh.

To amend section 2269 of the General Code, relating to the publishing and distribution of the annual reports of the appointive state officers and boards.

H. B. No. 3 — Mr. Snyder, of Hamilton.

To amend sections 4949, 4952, 4963, 5004, 5006, 5018, 5094, 5097 and 5098 of the General Code, to supplement section 4828 by enacting supplemental sections to be known as 4828-2 and 4828-3 and to repeal

MONDAY, JANUARY 19, 1914.

section 4968 and supplemental section 5018-1 as contained in an act entitled "An act to supplement section 5018 of the General Code by the addition of a section to be known as section 5018-1, relating to the form of ballots," relative to the nomination and election of United States senators.

H. B. No. 4 — Mr. Etling.

To supplement section 9955 of the General Code by the enactment of supplemental sections 9955-1 and 9955-2, to authorize the interchangeable use of the words "academy," "college" and "university".

H. B. No. 5 — Mr. Guthery.

To grant additional powers to banking corporations organized under the laws of Ohio.

H. B. No. 6 — Mr. Behne.

To amend section 246 of the General Code, providing for the issuance of duplicate warrants in certain cases.

H. B. No. 7 — Mr. Clark.

To supplement section 131 of the General Code by section 131-1 relating to affidavit by notaries public.

H. B. No. 8 — Mr. Fellingner.

To make further provision for collecting, installing and maintaining an exhibit of the products and resources of the state of Ohio at the Panama-Pacific International Exposition in 1915 and to make an appropriation therefor.

H. B. No. 9 — Mr. Snyder, of Pickaway.

To amend section 12842 of the General Code, relating to perjury in connection with nominating, initiative, supplementary, and referendum petitions.

H. B. No. 10 — Mr. Shanley.

To supplement section 976 of the General Code by the enactment of supplemental sections 976-1, 976-2 and 976-3, to regulate and prohibit solid shooting in coal mines.

H. B. No. 11 — Mr. Mills.

To amend sections 3939, 3949 and 3927 of the General Code, to carry out the provisions of section 4 of Article 18 of the constitution of Ohio, and to provide for the sale of bonds of small denomination issued by municipalities for public utilities.

H. B. No. 12 — Mr. Chapman.

To amend section 934 of the General Code, relative to emergency supplies which are to be kept for use at the mines.

H. B. No. 13 — Mr. Lowry.

To amend sections 4679, 4682-1, 4683, 4684, 4685, 4687, 4688, 4689, 4692, 4696, 4712, 4714, 4715, 4726, 4727, 4728 to 4744 inclusive, 4747 5653, 7705, 7706, 7730, 7731, to add supplementary sections 4688-1, 4688-2, 4728-1, 4740-1, 4747-1, 4744-1 to 4744-6 inclusive, 7706-1, 7706-2, 7706-3, 7706-4, 7706-5, 7730-1, and to repeal sections 4713, 4716, 4717 to 4725 inclusive of the General Code, relating to the supervision of rural and village schools.

H. B. No. 14 — Mr. Morris.

To amend sections 7805, 7806, 7807, 7808, 7810, 7811 to 7823 inclusive, 7825, 7830, 7831, 7832, 7832-1, 7834, 7835, 7836, 7837, 7839, 7844, 7845, 7846, 7847, 7854, 7855, 7857, 7858, to add supplementary sections 7807-1 to 7807-6 inclusive, 7821-1, 7821-2, 7822-1, 7823-1, and

7832-2, and to repeal sections 7740, 7741, 7848, 7858-1 to 7858-7 inclusive of the General Code relating to the certification and examination of teachers in the public schools.

H. B. No. 15 — Mr. Rhulman.

To amend sections 7595 and 7597 of the General Code and add supplementary section 7595-1, relating to the salaries of teachers and aid to weak school districts.

H. B. No. 16 — Mr. Hoaglin.

To amend sections 4763, 7600, 7602, 7604 and 7605 of the General Code relating to school district funds.

H. B. No. 17 — Mr. Black, of Hamilton.

To supplement Section 724 of the General Code by the enactment of a supplementary section to be known and designated as Section 724-1 of the General Code; to supplement section 729 of the General Code by the enactment of a supplementary section to be known and designated as Section 729-1 of the General Code; to supplement Section 742 of the General Code by the enactment of supplementary sections to be known and designated as Sections 742-a and 742-b of the General Code; to supplement Section 742-2 of the General Code by the enactment of a Section to be known and designated as Section 742-2-a of the General Code, to supplement Section 9702 of the General Code by the enactment of supplementary Sections to be known and designated as Sections 9702-1 and 9702-2 of the General Code; to supplement section 9704 of the General Code by the enactment of a supplementary section to be known and designated as Section 9704-1 of the General Code; to amend section 9757 of the General Code; to supplement section 9757 of the General Code by the enactment of supplementary sections to be known and designated as Sections 9757-1 and 9757-2 of the General Code; to supplement section 9758 of the General Code by the enactment of a section to be known and designated as section 9758-1 of the General Code; to supplement section 9759 of the General Code by the enactment of a supplementary section to be known and designated as Section 9759-1 of the General Code; to supplement section 9790 of the General Code by the enactment of a supplementary section to be known and designated as Section 9790-1 of the General Code; and to conform the statutes of Ohio regulating banks to the provisions of an act of the 63rd Congress of the United States, entitled "An act to provide for the establishment of Federal Reserve Banks, to furnish an elastic currency to afford means of rediscounting commercial paper, to establish more effective supervision of banks in the United States, and for other purposes.

Mr. Black, of Hamilton, offered to introduce a bill to create a commission to codify the state banking laws, etc.

Mr. Lowry raised a point of order that the subject matter of the bill was not within the purview of the call of the Governor.

The speaker sustained the point of order and declared the bill out of order.

Mr. Black, of Hamilton, moved to appeal from the decision of the speaker.

The question was "Shall the decision of the speaker be sustained?" The yeas and nays were taken, and resulted — yeas 101, nays 4, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kathe,	Rhulman,
Anderson,	of Morrow,	Kennedy,	Robinson,
Appenzeller,	Davis,	Kessler,	Schaefer,
Beatty,	Deaton,	Kilpatrick,	Schweikert,
Behne,	Detrick,	King,	Shanley,
Beyer,	Dickson,	of Ashtabula,	Siebert,
Black,	Diser,	King, of Franklin,	Smith, of Butler
of Wyandot,	Donaldson,	Kramer,	Smith,
Boggs,	Doster,	Lambert,	of Morgan,
Bonnell,	Duffey,	Lowry,	Snyder,
Bour,	Etling,	Lustig,	of Hamilton,
Brennan,	Fell,	McCormick,	Snyder,
Brown,	Fellinger,	McGuffey,	of Pickaway,
of Ashland,	Foreman,	Mills,	Stivers,
Brown, of Union,	Freeman,	Morris,	Sweeney,
Cameron,	Fulton,	Mueller,	Terrell,
Capelle,	Gilson,	Murphy,	Tetlow,
Carroll,	Guthery,	Nungesser,	Thatcher,
Chapman,	Hastings,	Orlikowski,	Thomas,
Clark,	Hite,	Orrison,	Venus,
Colter,	Hoffman,	Pence,	Warnes,
Conover,	Holl,	Plank,	Welsh,
Cooper,	Hoover,	Plumb,	White,
Cowan,	Horwitz,	Quinlisk,	Winans,
Crawford,	Hunter,	Reid, of Fayette,	Wintermute,
Criswell,	Jackson,	Reighard,	Winters,
of Coshocton,	Jenkins,	Reynolds	Woodworth,
			Young—101.

Those who voted in the negative were: Messrs. Bishop, Black of Hamilton, Kemerer and Nye.

The decision of the speaker was sustained.

The following bill was introduced and read for the first time:

H. B. No. 18—Mr. Doster.

To amend sections 5175-29c, 5175-29d, 5175-29e and 5175-29f of the General Code and to enact supplemental sections 5175-29g to 5175-29r inclusive providing safeguards in connection with initiative, supplementary and referendum petitions.

Mr. Lowry moved that the rules be suspended and all bills introduced be referred at once to committee.

The motion was agreed to and bills were referred as follows:

H. B. No. 1—Mr. Warnes.

To the committee on Taxation.

H. B. No. 2—Mr. Welsh.

To the committee on Public Printing.

H. B. No. 3—Mr. Snyder, of Hamilton.

To the committee on Judiciary.

H. B. No. 4—Mr. Etling.

To the committee on Colleges and Universities.

H. B. No. 5—Mr. Guthery.

To the committee on Banks and Banking.

H. B. No. 6—Mr. Behne.

To the committee on Appropriations and Finance.

H. B. No. 7—Mr. Clark.

To the committee on Judiciary.

H. B. No. 8— Mr. Fellingner.

To the committee on Appropriations and Finance

H. B. No. 9— Mr. Snyder, of Pickaway.

To the committee on Judiciary.

H. B. No. 10— Mr. Shanley.

To the committee on Mines and Mining.

H. B. No. 11— Mr. Mills.

To the committee on Cities.

H. B. No. 12— Mr. Chapman.

To the committee on Mines and Mining.

H. B. No. 13— Mr. Lowry.

To the committee on Public Schools.

H. B. No. 14— Mr. Morris.

To the committee on Public Schools.

H. B. No. 15— Mr. Rhulman.

To the committee on Public Schools.

H. B. No. 16— Mr. Hoaglin.

To the committee on Public Schools.

H. B. No. 18— Mr. Doster.

To the committee on Privileges and Elections.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 19— Mr. vonder Heide.

To prevent floods, to protect cities, villages, farms and highways from inundation, and to authorize the organization of drainage and conservation districts.

On motion of Mr. vonder Heide, the rules were suspended and **H. B. No. 19** was referred to the committee on Judiciary.

On motion of Mr. Lowry, the House adjourned at 3:10 o'clock P. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Tuesday, January 20, 1914, 1:30 o'clock, P. M.

The House met pursuant to adjournment.

Prayer was offered by the Honorable Chas. A. White, of Columbiana County.

The journal of the last legislative day was read and approved.

The speaker announced that having had under advisement the point of order raised against the introduction of **H. R. No. 7**— Mr. Diser, he would hold that the subject did not properly come within the purview of the call of the Governor or any other matter that could be legally considered by the House, and declared the resolution out of order.

H. R. No. 6— Mr. Diser, was taken up.

The question was: "Shall the resolution be adopted?"

Mr. Warnes moved that the resolution be referred to the committee on Fees and Salaries.

Mr. Conover demanded the previous question, which was duly seconded:

The question was: "Shall the debate now close?"

The motion was agreed to and the main question ordered.

The question was: "Shall **H. R. No. 6** be referred to the committee on Fees and Salaries?"

The yeas and nays were demanded taken, and resulted — yeas 5, nays 98, as follows:

Those who voted in the affirmative were: Messrs. Appenzeller, Behne, Detrick, Fellingner and Orlikowski.

Those who voted in the negative were: Messrs.

Acker,	Criswell,	Kennedy,	Robinson,
Agler,	of Morrow,	Kessler,	Schaefer,
Anderson,	Davis,	Kilpatrick,	Schweikert,
Barthelmeh,	Deaton,	King,	Shanley,
Beatty,	Dickson,	of Ashtabula,	Siebert,
Beyer,	Diser,	King, of Franklin,	Smith, of Butler,
Bishop,	Doster,	Kramer,	Smith, of Morgan,
Black,	Duffey,	Lambert,	Snyder,
of Wyandot,	Ertel,	Lowry,	of Hamilton,
Boggs,	Etling,	Lustig,	Snyder,
Bonnell,	Fell,	McCormick,	of Pickaway,
Bour,	Foreman,	McGuffey,	Stivers,
Brennan,	Freeman,	Mills,	Sweeney,
Brown,	Fulton,	Morris,	Terrell,
of Ashland,	Gilson,	Mueller,	Tetlow,
Brown, of Union,	Guthery,	Murphy,	Venus,
Cameron,	Hastings,	Nungesser,	Vollmer,
Capelle,	Hoaglin,	Nye,	Vonderheide,
Carroll,	Hoffman,	Orrison,	Warnes,
Chapman,	Hoover,	Pence,	Welsh,
Clark,	Horwitz,	Plank,	White,
Colter,	Hunter,	Plumb,	Williams,
Conover,	Jackson,	Reighard,	Winans,
Crawford,	Jenkins,	Reppert,	Wintermute,
Criswell,	Kathe,	Reynolds,	Winters,
of Coshocton,	Kemerer,	Rhulman,	Woodworth,
			Young—98.

The motion was disagreed to.

The question recurred: "Shall **H. R. No. 6**— Mr. Diser, be adopted?"

Mr. Lustig moved to amend the resolution but the speaker ruled the motion out of order.

Mr. Lustig moved to appeal from the decision of the speaker.

The question was: "Shall the decision of the speaker be sustained?"

The decision of the speaker was sustained.

The question recurred: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 81, nays 10, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kemerer,	Reynolds,
Agler,	of Morrow,	Kennedy,	Robinson,
Anderson,	Davis,	Kilpatrick,	Schaefer,
Barthelmeh,	Deaton,	King,	Shanley,
Beyer,	Diser,	of Ashtabula,	Siebert,
Black,	Doster,	King, of Franklin,	Smith, of Morgan,
of Wyandot,	Duffey,	Kramer,	Stivers,
Bonnell,	Etling,	Lambert,	Terrell,
Bour,	Fell,	McCormick,	Tetlow,
Brennan,	Foreman,	McGuffey,	Thomas,
Brown,	Freeman,	Mills,	Venus,
of Ashland,	Fulton,	Morris,	Vollmer,
Brown, of Union,	Gilson,	Murphy,	Vonderheide,
Cameron,	Guthery,	Nungesser,	Warnes,
Capelle,	Hastings,	Nye,	White,
Carroll,	Hite,	Orlikowski,	Williams,
Colter,	Hoover,	Orrison,	Winans,
Conover,	Horwitz,	Pence,	Wintermute,
Cowan,	Hunter,	Plank,	Winters,
Crawford,	Jackson,	Plumb,	Woodworth,
Criswell,	Jenkins,	Reighard,	Young—81.
of Coshocton,	Kathe,		

Those who voted in the negative were: Messrs.

Behne,	Dickson,	Smith, of Butler,	Snyder,
Chapman,	Rhulman,	Snyder,	of Pickaway,
Detrick,	Schweikert,	of Hamilton,	Sweeney—10.

Mr. Black, of Hamilton, was excused from voting by the Speaker.
The resolution was adopted.

Mr. Morris submitted the following report:

The standing committee on Finance, to which was referred **H. B. No. 6**—Mr. Behne, having had the same under consideration, reports it back and recommends its passage.

JOHN COWAN,
H. FELLINGER,
JAMES R. CLARK,
J. V. WINANS,

GEO. M. MORRIS,
A. BEYER,
R. R. REYNOLDS,
E. N. BOGGS.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Behne submitted the following report:

The standing committee on Public Printing, to which was referred **H. B. No. 2**—Mr. Welsh, having had the same under consideration, reports it back and recommends its passage:

WM. BEHNE,
JAS. T. CARROLL,
W. H. ACKER,
W. D. FULTON,

F. H. REPPERT,
H. L. HASTINGS,
C. D. CONOVER,
T. E. HOOVER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Guthery submitted the following report:

The standing committee on Universities, Colleges and Normal Schools, to which was referred **H. B. No. 4** — Mr. Etling, having had the same under consideration, reports it back, and recommends its passage.

I. S. GUTHERY,
G. M. PLUMB,
G. J. WINTERMUTE,
M. A. WARNES,
STEPHEN M. YOUNG,

D. M. CRISWELL,
O. J. THATCHER,
ALTON H. ETLING,
F. M. PLANK.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Lambert submitted the following report:

The standing committee on Mines and Mining, to which was referred **H. B. No. 10** — Mr. Shanley, having had the same under consideration, reports it back and recommends its passage.

W. A. RHULMAN,
E. C. WOODWORTH,
J. J. SHANLEY, Sr.,
R. R. BOUR,
JAMES A. FREEMAN,

FRANK P. LAMBERT,
PERCY TETLOW,
W. A. HITE
W. H. ACKER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Lambert submitted the following report:

The standing committee on Mines and Mining to which was referred **H. B. No. 12** — Mr. Chapman, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended.

In line 12 strike out the word "safety" and in lieu thereof insert the word "mine".

F. P. LAMBERT,
W. A. HITE,
W. A. RHULMAN,
J. J. SHANLEY, Sr.,
W. H. ACKER,

E. C. WOODWORTH,
JAS. FREEMAN,
R. R. BOUR,
PERCY TETLOW.

The amendment was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

The following bill was introduced and read the first time:

H. B. No. 20 — Mr. Detrick.

To make appropriation for a building for the College of Education of the Ohio State University.

Mr. Detrick moved that the rules be suspended and **H. B. No. 20** be referred at once to committee.

The motion was agreed to and said bill was referred to the committee on Appropriations and Finance.

The following bill was introduced and read the first time:

H. B. No. 21 — Mr. Gilson.

To amend section 7645, relative to course of study.

Mr. Gilson moved that the rules be suspended and **H. B. No. 21** be referred at once to committee.

The motion was agreed to and said bill was referred to the committee on Public Schools.

Mr. Lowry offered **H. J. R. No. 1**.

Relative to printing extra copies of certain bills.

Mr. Lowry moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 91, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Kessler,	Siebert,
Anderson,	Deaton,	King,	Smith, of Butler,
Barthelmeh,	Detrick,	of Ashtabula,	Smith, of Morgan,
Beatty,	Dickson,	King, of Franklin,	Snyder,
Behne,	Diser,	Kramer,	of Hamilton,
Beyer,	Donaldson,	Lambert,	Snyder,
Bishop,	Duffey,	Lowry,	of Pickaway,
Black,	Ertel,	McCormick,	Sweeney,
of Hamilton,	Etling,	McGuffey,	Terrell,
Black,	Fell,	Mills,	Tetlow,
of Wyandot,	Fellinger,	Morris,	Thatcher,
Bonnell,	Foreman,	Mueller,	Venus,
Bour,	Freeman,	Nungesser,	Vollmer,
Brennan,	Gilson,	Nye,	Vonderheide,
Brown, of Union,	Hastings,	Orlikowski,	Warnes,
Cameron,	Hite,	Orrison,	Welsh,
Capelle,	Hoaglin,	Plumb,	White,
Carroll,	Hoffman,	Reighard,	Williams,
Chapman,	Holl,	Reppert,	Winans,
Colter,	Hoover,	Reynolds,	Wintermute,
Crawford,	Horwitz,	Rhulman,	
Criswell,	Jackson,	Robinson,	Winters,
of Coshocton,	Jenkins,	Schaefer,	Woodworth,
Criswell,	Kathe,	Schweikert,	Young—91.
of Morrow,	Kennedy,	Shanley,	

The resolution was adopted.

The office of Enrolling Clerk being vacant by the resignation of A. J. Hildreth, Mr. Fellingner nominated for said office, Mr. C. J. McNamee, of Cleveland.

There being no further nominations, the House proceeded by a viva voce vote to the election of Enrolling Clerk.

Those who voted for Mr. McNamee were:

Acker,	Bishop,	Bonnell,	Carroll,
Agler,	Black,	Bour,	Clark,
Appenzeller,	of Hamilton,	Brennan,	Colter,
Barthelmeh,	Black,	Brown, of Union,	Cowan,
Behne,	of Wyandot,	Cameron,	Crawford,
Beyer,	Boggs,	Capelle,	

Those who voted for Mr. McNamee were:—Concluded.

Criswell,	Fulton,	McGuffey,	Smith, of Morgan,
of Coshocton,	Hastings,	Mills,	Snyder,
Criswell,	Hite,	Morris,	of Hamilton,
of Morrow,	Hoaglin,	Mueller,	Snyder,
Davis,	Hoffman,	Murphy,	of Pickaway,
Deaton,	Holl,	Nungesser,	Sweeney,
Detrick,	Hoover,	Orlikowski,	Terrell,
Dickson,	Horwitz,	Orrison,	Thomas,
Diser,	Hunter,	Plumb,	Venus,
Donaldson,	Jackson,	Reighard,	Vollmer,
Doster,	Kathe,	Reppert,	Vonderheide,
Duffey,	Kessler,	Reynolds,	Warnes,
Ertel,	King,	Rhulman,	Williams,
Etling,	of Ashtabula,	Robinson,	Wintermute,
Fell,	Lambert,	Schaefer,	Winters,
Fellinger,	Lowry,	Schweikert,	Woodworth,
Foreman,	Lustig,	Shanley,	Young,
Freeman,	McCormick,	Siebert,	

Mr. McNamee, having received a majority of all the votes cast, was declared elected enrolling clerk of the House of Representatives and having taken an oath, administered by the Speaker, to support the Constitution of the United States and the Constitution of the state of Ohio, and also an oath of office, entered upon the discharge of his duties.

John J. Conway, H. S. Brown, Frank E. Aide and L. L. Faris, appointed under **H. R. No. 7** of the regular session, having resigned, in their stead the clerk announced the appointment by him on January 19th, 1914, of William Conway, Ray Chamberlain, H. L. Greenbaum and E. A. Gabiel.

Mr. Ertel offered **H. R. No. 7**.

Resolved, That the following bills be allowed and ordered paid, and the Speaker be and he is hereby authorized and directed to sign vouchers for the same, payable out of the contingent fund of the House:

John D. Schnapp, postoffice box rental.....	\$3.21
H. Bornstein, covering table.....	6.50
The Brunswick-Balke-Collender Co., furniture polish..	1.25
L. B. Robinson, dictionary.....	15.50
United States Express Co., expressage.....	.80
B. A. Legg, furniture polish.....	7.50
Wendt-Bristol Co., supplies.....	4.50
Crystal Ice Mfg. Co., water and ice.....	3.50
Schroth & Potter, window shades, etc.....	29.95
E. H. Sell & Co., binding journal and supplies.....	224.65
The Dunn-Taft Co., supplies.....	6.80
Western Union Telegraph Co., time service.....	15.00
The Erner & Hopkins Co., supplies.....	10.37
The Frank P. Hall Co., supplies.....	1.50
The Schoedinger-Marr Co., supplies.....	.35
J. M. & W. Westwater, baskets.....	35.10
Baker Art Gallery, picture and frame.....	12.00

On motion of Mr. Ertel, the resolution was referred at once to the committee on Supplies and Expenditures.

The speaker granted leave of absence to Mr. Orlikowski on account of death in the family.

On motion of Mr. Lowry, the House adjourned at 3:00 o'clock P. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio.

Wednesday, January 21, 1914, 1:30 o'clock p. m.

The House met pursuant to adjournment.

Prayer was offered by the Reverend John W. Day, Columbus.

The journal of yesterday was read and approved.

H. B. No. 6— Mr. Behne, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Warnes moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 4 strike out the word "wherever" and insert in lieu thereof the word "whenever."

The motion was agreed to, and Mr. Warnes was appointed such committee, and reported the bill amended as instructed.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. Behne, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days was dispensed with and **H. B. No. 6** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 102, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Colter,	Fulton,	• Lowry,
Agler,	Conover,	Gilson,	Lustig,
Appenzeller,	Cowan,	Hastings,	McCormick,
Barthelmeh,	Crawford,	Hite,	Morris,
Beatty,	Criswell,	Hoffman,	Mueller,
Behne,	of Coshocton,	Holl,	Murphy,
Beyer,	Criswell,	Hoover,	Nungesser,
Bishop,	of Morrow,	Horwitz,	Nye,
Black,	Davis,	Hunter,	Orrison,
of Hamilton,	Deaton,	Jackson,	Pence,
Black,	Detrick,	Jenkins,	Plank,
of Wyandot,	Dickson,	Kathe,	Plumb,
Boggs,	Diser,	Kemerer,	Quinlisk,
Bonnell,	Doster,	Kennedy,	Reid, of Fayette,
Bour,	Duffey,	Kessler,	Reighard,
Brennan,	Ertel,	Kilpatrick,	Reppert,
Brown, of Union,	Etling,	Kilrain,	Robinson,
Cameron,	Fell,	King, of Franklin,	Schaefer,
Capelle,	Fellingier,	Kramer,	Schweikert,
Carroll,	Foreman,	Lambert,	Shanley,
Chapman,	Freeman,	Leist,	Siebert,

Those who voted in the affirmative were: Messrs. — Concluded.

Smith, of Butler,	Stivers,	Venus,	White,
Smith, of Morgan,	Sweeney,	Vollmer,	Winans,
Snyder,	Terrell,	Vonderheide,	Wintermute,
of Hamilton,	Tetlow,	Walsh,	Winters,
Snyder,	Thatcher,	Warnes,	Woodworth,
of Pickaway,	Thomas,	Welsh,	Young—102

The bill was passed.

The title was agreed to.

H. B. No. 2 — Mr. Welsh, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 29, strike out "two" and insert "five".

In line 32, strike out "five hundred" and insert "one thousand".

The motion was agreed to, and Mr. Cowan was appointed such committee, and reported the bill amended as instructed.

Mr. Fellingner moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 17, in lieu of "twelve hundred", insert "two thousand".

The motion was agreed to, and Mr. Fellingner was appointed such committee, and reported the bill amended as instructed.

Mr. Schweikert moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 31, strike out the word "one" and in lieu thereof insert the word "two".

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. Welsh, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days was dispensed with and **H. B. No. 2** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 98, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Brown, of Union,	Duffey,	Kilpatrick,
Agler,	Capelle,	Ertel,	King, of Franklin,
Anderson,	Carroll,	Etling,	Kramer,
Appenzeller,	Chapman,	Fell,	Lambert,
Barthelmeh,	Clark,	Fellinger,	Leist,
Beatty,	Colter,	Foreman,	Lowry,
Behne,	Conover,	Freeman,	Lustig,
Beyer,	Crawford,	Guthery,	Mills,
Bishop,	Criswell,	Hastings,	Morris,
Black,	of Coshocton,	Hite,	Mueller,
of Hamilton,	Criswell,	Hoaglin,	Murphy,
Black,	of Morrow,	Hoffman,	Nungesser,
of Wyandot,	Davis,	Holl,	Nye,
Boggs,	Deaton,	Hoover,	Orrison,
Bonnell,	Detrick,	Horwitz,	Pence,
Bour,	Dickson,	Hunter,	Plank,
Brennan,	Diser,	Jenkins,	Plumb,
Brown,	Donaldson,	Kennedy,	Quinlisk,
of Ashland,	Doster,	Kessler,	Reid, of Fayette,

Those who voted in the affirmative were: Messrs. — Concluded

Reighard,	Smith, of Butler,	Thatcher,	Welsh,
Reppert,	Smith, of Morgan,	Thomas,	White,
Reynolds,	Snyder,	Venus,	Winans,
Schaefer,	of Pickaway,	Vollmer,	Wintermute,
Schweikert,	Sweeney,	Vonderheide,	Winters,
Shanley,	Terrell,	Walsh,	Woodworth,
Siebert,	Tetlow,	Warnes,	Young—98.

• Mr. Kemerer voted in the negative.

The bill was passed.

The title was agreed to.

H. B. No. 4 — Mr. Etling, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. Etling, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days was dispensed with, and **H. B. No. 4** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 106, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Jackson,	Robinson,
Agler,	of Coshocton,	Jenkins,	Schaefer,
Anderson,	Criswell,	Kathe,	Schweikert,
Appenzeller,	of Morrow,	Kennedy,	Shanley,
Barthelmeh,	Davis,	Kessler,	Siebert,
Beatty,	Deaton,	Kilpatrick,	Smith, of Butler,
Behne,	Detrick,	Kilrain,	Smith, of Morgan,
Beyer,	Dickson,	King, of Franklin,	Snyder,
Bishop,	Diser,	Kramer,	of Hamilton,
Black,	Donaldson,	Lambert,	Snyder,
of Hamilton,	Doster,	Leist,	of Pickaway,
Black,	Ertel,	Lowry,	Stivers,
of Wyandot,	Etling,	Lustig,	Sweeney,
Bonnell,	Fell,	McCormick,	Terrell,
Bour,	Fellinger,	Mills,	Tetlow,
Brennan,	Foreman,	Morris,	Thatcher,
Brown,	Freeman,	Mueller,	Thomas,
of Ashland,	Fulton,	Murphy,	Venus,
Brown, of Union,	Gilson,	Nungesser,	Vollmer,
Cameron,	Guthery,	Nye,	Vonderheide,
Capelle,	Hastings,	Orrison,	Walsh,
Carroll,	Hite,	Pence,	Warnes,
Chapman,	Hoaglin,	Plank,	Welsh,
Clark,	Hoffman,	Plumb,	White,
Colter,	Holl,	Quinlisk,	Winans,
Conover,	Hoover,	Reid, of Fayette,	Wintermute,
Cowan,	Horwitz,	Reighard,	Winters,
Crawford,	Hunter,	Reynolds,	Woodworth,
			Young—106.

The bill was passed.

The title was agreed to.

H. B. No. 10 — Mr. Shanley, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Tetlow moved to refer the bill to a select Committee of one, with instructions to amend as follows:

In line 10 strike out the word "and" and in lieu thereof insert the word "or".

The motion was agreed to, and Mr. Tetlow was appointed such committee, and reported the bill amended as instructed.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. Shanley, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 10** was engrossed at the clerk's desk and read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 106, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Agler,	Criswell,	Jenkins,	Robinson,
Anderson,	of Coshocton,	Kathe,	Schaefer,
Appenzeller,	Criswell,	Kemerer,	Schweikert,
Barthelmeh,	of Morrow,	Kennedy,	Shanley,
Beatty,	Davis,	Kessler,	Siebert,
Behne,	Deaton,	Kilpatrick,	Smith, of Butler,
Beyer,	Detrick,	Kilrain,	Smith, of Morgan,
Bishop,	Dickson,	King, of Franklin,	Snyder,
Black,	Diser,	Kramer,	of Pickaway,
of Wyandot,	Donaldson,	Lambert,	Stivers,
Boggs,	Doster,	Leist,	Sweeney,
Bonnell,	Duffey,	Lowry,	Terrell,
Bour,	Etling,	Lustig,	Tetlow,
Brennan,	Fell,	McCormick,	Thatcher,
Brown,	Fellinger,	Morris,	Thomas,
of Ashland,	Foreman,	Mueller,	Venus,
Brown, of Union,	Freeman,	Murphy,	Vollmer,
Cameron,	Fulton,	Nungesser,	Vonderheide,
Capelle,	Gilson,	Nye,	Walsh,
Carroll,	Guthery,	Orrison,	Warnes,
Chapman,	Hastings,	Pence,	Welsh,
Clark,	Hite,	Plank,	White,
Colter,	Hoaglin,	Plumb,	Williams,
Conover,	Hoffman,	Quinlisk,	Winans,
Cooper,	Holl,	Reid, of Fayette,	Wintermute,
Cowan,	Hoover,	Reighard,	Winters,
Crawford,	Horwitz,	Reppert,	Woodworth,
	Hunter,	Reynolds,	Young—106.

Mr. Acker voted in the negative.

The bill was passed.

The title was agreed to.

H. B. No. 12 — Mr. Chapman, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Boggs moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 13, add the letter "s" to the word "stretcher".

The motion was agreed to, and Mr. Boggs was appointed such committee, and reported the bill amended as instructed.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. Chapman, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 12** was engrossed at the clerk's desk and read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 102, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Schaefer,
Agler,	of Morrow,	Kilpatrick,	Schweikert,
Anderson,	Davis,	Kilrain,	Shanley,
Appenzeller,	Deaton,	King,	Siebert,
Barthelmeh,	Detrick,	of Ashtabula,	Smith, of Butler,
Beatty,	Dickson,	King, of Franklin,	Smith, of Morgan,
Behne,	Donaldson,	Kramer,	Snyder,
Beyer,	Doster,	Lambert,	of Hamilton,
Bishop,	Duffey,	Leist,	Snyder,
Black,	Ertel,	Lowry,	of Pickaway,
of Wyandot,	Etling,	Lustig,	Stivers,
Boggs,	Fell,	McCormick,	Sweeney,
Bonnell,	Fellinger,	Morris,	Terrell,
Bour,	Foreman,	Mueller,	Tetlow,
Brennan,	Freeman,	Murphy,	Thatcher,
Brown, of Union,	Fulton,	Nungesser,	Venus,
Cameron,	Guthery,	Nye,	Vollmer,
Capelle,	Hastings,	Orrison,	Vonderheide,
Carroll,	Hite,	Pence,	Walsh,
Chapman,	Hoaglin,	Plank,	Warnes,
Clark,	Hoffman,	Plumb,	Welsh,
Conover,	Holl,	Quinlisk,	White,
Cooper,	Hoover,	Reid, of Fayette,	Williams,
Cowan,	Horwitz,	Reighard,	Winans,
Crawford,	Hunter,	Reynolds,	Wintermute,
Criswell,	Jenkins,	Rhulman,	Winters,
of Coshocton,	Kathe,	Robinson,	Young—102.

The bill was passed.

The title was agreed to.

The following message was received from the Governor:

State of Ohio.
Executive Department.
Office of the Governor.

To the General Assembly:

The following subjects are respectfully submitted for the consideration of your honorable body:

The compensation of the officers and employes of the Soldiers' & Sailors' Orphans' Home, at Xenia, Ohio, is fixed by section 1946 of the General Code. For years the employes have been hired upon the under-

standing that they were to live at the institution, and the salaries were made relatively low upon that theory. A recent decision was rendered to the effect that under existing law the management of the Home had no right to supply board to the employees. The loss of the entire teaching force was threatened at one time and a very serious emergency was averted by assurance being given that the matter would be presented to the Assembly for its attention at the special session. With increased experience in government, it is becoming very obvious that instead of making the laws entirely too specific some discretionary power must be lodged in the hands of administrative officers and the laws made so elastic as to admit of a common sense application. The Xenia Home situation is typical. It would be much better to so amend the existing law as to give to the trustees of the Home the right to adjust salaries and prescribe the number of employees so that a change in conditions may be provided for.

The matter of providing for the compensation of judicial officers and judges of common pleas and superior courts, as made necessary by the provisions of the Constitution, sections 3 and 7 and 12 of Article 4, is urgent.

Among other amendments adopted to our Constitution in September, 1912, those changing the said sections and providing that one resident judge of the court of common pleas and such additional judge or judges as may be provided by law, shall be elected in each county of the state; also that in each county having less than sixty thousand population, as determined by the next preceding federal census, the people may elect to combine the probate court with the court of common pleas.

This matter was under discussion by your honorable body during the regular session in 1913, when amended S. B. No. 36 was passed. It was deemed advisable at that time that the matter be considered in the extraordinary session, and for the past few months the drafting of such a bill has been under serious consideration by a special committee consisting of three members of the Senate and three members of the House. The work of this committee is embodied in a bill which it will submit.

The City of Cleveland has, for the past twenty years, at its sole cost and expense, made, by filling out into Lake Erie, about sixty acres of land adjacent to a public park in said city.

The City of Cleveland now, for the purpose of improving the transportation facilities along the Lake front in said city desires that the title to said land so made by them, and the right to further fill out into the lake to the harbor line established by the United States government should be clear and free from cloud.

For the purpose of making clear in said City of Cleveland the title to said land so made by it without any expense whatever to the State of Ohio, and to grant it the right further to fill out into the lake, the State of Ohio should by quit claim deed convey to the City of Cleveland all its interest in said land, and the right to further fill to said harbor line.

JAMES M. COX,
Governor.

January 21, 1914.

• Mr. Clark moved that the several subjects mentioned in the Governor's message be referred at once to the proper committees.

The motion was agreed to and the subjects were referred as follows :

Xenia Home.

To the committee on Soldiers' and Sailors' Orphans' Home.

Compensation for judicial officers and judges.

To the committee on Codes, Courts and Procedure.

City of Cleveland.

To the committee on Public Works.

The following message was received from the senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the adoption of the following joint resolution:

H. J. R. No. 1 — Mr. Lowry.

Relative to printing extra copies of certain bills.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 2 — Mr. Friebolin.

To amend section 1532 of the General Code, providing for the election of common pleas judges in the several counties of the state.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Clark, the rules were suspended and **S. B. No. 2** was referred to the committee on Judiciary.

Mr. Vonderheide submitted the following report:

The standing committee on Judiciary, to which was referred

H. B. No. 19 — Mr. vonder Heide, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

On page 2, index section 49, insert the letter "s" in assessment, after the letter "a".

In line 462 change the first letter "n" to "m" in the word "compensation".

In line 466 change the second word "of" to "or".

In line 643 after the word "effect" insert a new sentence as follows: "If, however, the appraisal roll as a whole is referred back to the appraisers, the court shall not resume the hearing thereof without new notice, as for an original hearing thereon."

In line 920, after the word "full" insert the following new sentence: "When the assessment roll is placed on file in the office of the district, notice by publication shall be given to property owners that they may pay their assessments."

In line 1735, after the word "Ohio" insert "[If directors are appointed at the same time.]"

In line 1738, at the end of the line strike out the words "gold coin" and insert in lieu thereof the words "lawful money."

In line 1784, strike out the words "of the present standard of weight and fineness."

In line 1789, place brackets before "or" and after "words" so it will read as follows: "[or for the other works.]"

In line 1824, strike out the words "gold coin" and insert in lieu thereof "lawful money." Strike out the words "of the present stand—" in line 1824, and in line 1825 strike out the words "dard of weight and fineness."

Strike out lines 1931 to 1939 inclusive.

VICTOR J. VONDERHEIDE,
CULBERTSON J. SMITH,
J. R. B. KESSLER,
W. B. KILPATRICK,
THORNTON R. SNYDER
STEPHEN M. YOUNG,

JOHN F. KRAMER,
PERCY TETLOW,
J. CHARLES CRISWELL,
ALTON H. ETILING,
OSCAR E. DISER,
IRVIN F. SNYDER.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Kilpatrick submitted the following report:

The standing committee on Judiciary, to which was referred **H. B. No. 7**—Mr. Clark, having had the same under consideration, reports it back with the following amendments, and recommends its adoption when so amended:

In line 6 strike out all after the word "misdemeanor".

In line 7 strike out all up to and including the word "shall."

In line 8 strike out the words "for each offense" and in lieu thereof insert the following: "or imprisoned not more than thirty days, or both."

In line 8 strike out the period after the word "office" and in lieu thereof insert the following: "by the court of common pleas of the county in which the conviction was had."

W. B. KILPATRICK,
J. R. B. KESSLER,
V. J. VONDERHEIDE,
IRVIN F. SNYDER,

CULBERTSON J. SMITH,
STEPHEN M. YOUNG,
OSCAR E. DISER,
ALTON H. ETILING.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Snyder, of Pickaway, submitted the following report:

The standing committee on Judiciary, to which was referred **H. B. No. 9**—Mr. Snyder, of Pickaway, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended: In line 10 strike out the word "three" and in lieu thereof insert "one".

W. B. KILPATRICK,
J. R. B. KESSLER,
THORNTON R. SNYDER,
CULBERTSON J. SMITH,

STEPHEN M. YOUNG,
ALTON H. ELTING,
C. A. REID,
V. J. VONDERHEIDE,

The amendment was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. King, of Ashtabula, submitted the following report:

The standing committee on Taxation, to which was referred **H. B. No. 1** — Mr. Warnes, having had the same under consideration, reports it back and recommends its passage when amended as follows: In line 2 strike out "6301 and 3609" and insert "6309".

Strike out lines 6 to 37, both inclusive.

DON P. MILLS,
W. S. KING,
IRVIN F. SNYDER,
W. R. DAVIS,

R. R. BOUR,
GUY DETRICK,
ROBERT BLACK,
M. G. NUNGESSER.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Black, of Hamilton, submitted the following report:

The standing committee on Privileges and Elections, to which was referred **H. B. No. 3** — Mr. Snyder, of Hamilton, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 2, insert "and" before 5097.

In line 2, strike out comma (,) after 5018, strike out comma (,) after 5094.

In line 3, strike out "and 5098."

In line 33, strike out "each" and insert "all."

In line 37, strike out "party" and insert "parties"

In line 37, strike out "associations" and insert "associations."

In line 48, strike out "any" and insert "an."

In line 85, strike out "its" and insert "their."

In line 92, strike out "date" and insert "day."

In line 130, strike out after the period. (.)

Strike out lines 131 to 134 both inclusive.

In line 144 strike out "and any other officer elected in the state at large."

In line 162 strike out "chief justice of the supreme court" and also "and".

In line 149 strike out "and"

In line 163 strike out "for any other officer elected at large"

In line 150 "Any other officer elected in the state at large, for"

Strike out lines 169 to 179 both inclusive

In line 181 strike out "5018-1 (as contained in 103 O. L. page 27)," and strike out " , 5097"

ROBERT BLACK,
LAWRENCE BRENNAN,
STEPHEN M. YOUNG,
ED. H. BISHOP,

JOHN F. GILSON,
T. E. HOOVER,
C. A. ORRISON.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

The following bill was introduced and read the first time:

H. B. No. 22 — Mr. Duffey.

To amend sections 2252 and 2253 of the General Code (as contained in the Act entitled "An act to amend certain sections of the General Code, relative to, et al., 103 O. L., page 405, at page 418 and 419) providing for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts, and to enact new sections to be known as sections 2252-1 and 2252-2.

On motion of Mr. Duffey, the rules were suspended and **H. B. No. 22** was referred at once to the committee on Codes, Courts and Procedure.

The following bill was introduced and read the first time:

H. B. No. 23 — Mr. Anderson.

To authorize the formation of a state school commission to select or compile, and to regulate the price of state uniform text books for rural and village school districts.

On motion of Mr. Anderson, the rules were suspended and **H. B. No. 23** was referred at once to the committee on Public Schools.

The following bill was introduced and read the first time:

H. B. No. 24 — Mr. Detrick.

To amend sections 7868 and 7869 of the General Code and to add supplemental sections 7654-1, 7654-2, 7654-3, 7654-4, 7654-5, 7654-6, 7654-7, and 7868-1 of the General Code relating to the training of teachers for village and rural schools.

On motion of Mr. Detrick, the rules were suspended and **H. B. No. 24** was referred at once to the committee on Public Schools.

The following bill was introduced and read the first time:

H. B. No. 25 — Mr. Thomas.

To amend section 7713 of the General Code to prohibit unnecessary changes in school text books.

On motion of Mr. Thomas, the rules were suspended and **H. B. No. 25** was referred at once to the committee on Public Schools.

The following bill was introduced and read the first time:

H. B. No. 26 — Mr. Gilson.

To authorize the appointment of a school book commission, to regulate the price of school books, and to repeal sections 7709 and 7710 of the General Code.

On motion of Mr. Gilson, the rules were suspended and **H. B. No. 26** was referred at once to the committee on Public Schools.

The following bill was introduced and read the first time:

H. B. No. 27 — Mr. Tetlow.

To supplement section 936 of the General Code and to conserve the mineral resources of the state by requiring plans of proposed mining operations to be first submitted to the industrial commission for its approval.

On motion of Mr. Tetlow, the rules were suspended and **H. B. No. 27** was referred at once to the committee on Mines and Mining.

Mr. Smith, of Butler, offered **H. J. R. No. 2**.

Relative to the delivery of bills and other legislative documents direct to the legislative reference bureau.

The resolution was laid over under the rule.

Mr. Terrell offered **H. J. R. No. 3.**

Relative to printing 1,000 copies of reports of Legislative Canal Commission.

The resolution was laid over under the rule.

Mr. Terrell offered **H. J. R. No. 4.**

To provide for the printing of the report of the Ohio Coal Mining Commission to the Governor of Ohio.

The resolution was laid over under the rule.

Mr. Dickson presented the petition of E. W. Smithberger and other citizens of Noble, Monroe and Washington counties, remonstrating against the resolution which will be presented to the next Legislature in regard to the re-organization of the rural schools of the State, which was referred to the committee on Public Schools.

On motion of Mr. Lowry, the House adjourned at 3:20 o'clock P. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio.

Thursday, January 22, 1914. 1:30 o'clock p. m.

The House met pursuant to adjournment.

Prayer was offered by the Honorable Chas. H. McCormick, of Gallia county.

The journal of yesterday was read and approved.

H. B. No. 19—Mr. vonder Heide, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Quinisk, moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out line 48.

In line 52, strike out "reservoirs."

In line 53, insert "or" before "bridges" and strike out "or dams."

In line 253, strike out "dams."

In line 254, strike out "reservoirs" and "holding basins."

The question was: "Shall the motion be agreed to?" upon which the yeas and nays were demanded and taken, and resulted—yeas 11. nays 90, as follows.

Those who voted in the affirmative were: Messrs.

Conover,
Davis,
Deaton,

Doster,
Holl,
Hunter,

Jenkins,
Kemerer,
Quinisk

Robinson,
Wintermute,

Those who voted in the negative were: Messrs.

Acker,
Barthelmeh,
Beatty,
Behne,
Beyer,
Bigelow,
Bishop,
Black,
of Hamilton,

Black,
of Wyandot,
Bonnell,
Bour,
Brennan,
Brown,
of Ashland,
Brown, of Union,
Capelle,

Carroll,
Chapman,
Clark,
Cooper,
Cowan,
Crawford,
Criswell,
of Coshocton,

Criswell,
of Morrow,
Detrick,
Dickson,
Diser,
Donaldson,
Duffey,
Ertel,
Etling,

Those who voted in the negative are: Messrs.—Concluded.

Fell,	Kilpatrick,	Nungesser,	Snyder,
Fellinger,	Kilrain,	Nye,	of Pickaway,
Foreman,	King,	Orrison,	Sweeney,
Freeman,	of Ashtabula,	Pence,	Terrell,
Fulton,	King, of Franklin,	Plank,	Thomas,
Guthery,	Kramer,	Plumb,	Venus,
Hastings,	Lambert,	Reppert,	Vollmer,
Hite,	Leist,	Reynolds,	Vonderheide,
Hoaglin,	Lowry,	Schaefer,	Walsh,
Hoffman,	Lustig,	Schweikert,	Warnes,
Hoover,	McCormick,	Shanley,	Welsh,
Horwitz,	McGuffey,	Siebert,	White,
Jackson,	Mills,	Smith, of Butler,	Winans,
Kathe,	Morris,	Snyder,	Winters,
Kennedy,	Mueller,	of Hamilton,	Woodworth,
Kessler,	Murphy,		Young,

The motion was disagreed to.

Mr. Diser moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 276, after the period (.), insert the following: "But said contract shall not be let to another than the lowest bidder unless upon a hearing before the Court in which said district was organized and upon notice to all parties interested, an order be obtained therefor."

The motion was agreed to, and Mr. Diser was appointed such committee, and reported the bill amended as instructed.

Mr. Bigelow moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of line 430 strike out the period, insert instead thereof a comma and add: "and rates for light, power or other services charged by vendees, assignees, lessees or licensees, of such board of directors shall be subject at all times to revision and control by state law."

The motion was agreed to, and Mr. Bigelow was appointed such committee, and reported the bill amended as instructed.

Mr. Smith, of Butler, moved to refer the bill to a select committee of one, with instructions to amend as follows: After line 1930, add:

1931 XI. EMERGENCY.
 1932 SECTION 79. EMERGENCY ACT. This act is hereby declared
 to be an
 1933 emergency law, necessary for the immediate preservation of the
 public health and
 1934 safety. Such necessity exists by reason of the inadequacy of the
 present drainage
 1935 systems of the state to carry off unusual rainfalls in a proper and
 safe manner,
 1936 as shown by the disastrous floods of March, 1913, which may oc-
 cur again at any
 1937 time in the near future with a like unfortunate result in loss of life
 and property.
 1938 The existing laws of the state are not adequate to meet this
 emergency.
 1939 Therefore, this act shall take effect from and after its passage
 and approved.

The motion was agreed to, and Mr. Smith, of Butler, was appointed such committee, and reported the bill amended as instructed.

Mr. vonder Heide moved to refer the bill to a select committee of one, with instructions to amend as follows: At the end of Section (Six) and between lines 154 and 155, insert: "In case of a district lying in more than one county, the common pleas judges of all the counties in the district shall sit as a court to make the findings required by this section."

The motion was agreed to, and Mr. vonder Heide was appointed such committee, and reported the bill amended as instructed.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. vonder Heide, the rule requiring bills to be referred to the committee on Phraseology, and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 19** was engrossed at the clerk's desk and read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 88, nays 18, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	Kilpatrick,	Schaefer,
Agler,	Criswell,	Kilrain,	Schweikert,
Anderson,	of Morrow,	King,	Shanley,
Barthelmeh,	Detrick,	of Ashtabula,	Siebert,
Beatty,	Dickson,	King,	Smith, of Butler,
Behne,	Doster,	of Franklin,	Snyder,
Beyer,	Duffey,	Kramer,	of Hamilton,
Bigelow,	Ertel,	Lambert,	Sweeney,
Bishop,	Etlng,	Lowry,	Terrell,
Black,	Fell,	Lustig,	Tetlow,
of Hamilton,	Fellinger,	McCormick,	Thomas,
Black,	Foreman,	McGuffey,	Venus,
of Wyandot,	Fulton,	Mills,	Vollmer,
Boggs,	Guthery,	Morris,	Vonderheide,
Bonnell,	Hastings,	Mueller,	Walsh,
Bour,	Hite,	Murphy,	Warnes,
Brennan,	Hoaglin,	Nungesser,	Welsh,
Brown,	Hoffman,	Nye,	White,
of Ashland,	Holl,	Orrison,	Winans,
Capelle,	Hoover,	Pence,	Wintermute,
Carroll,	Horwitz,	Plumb,	Winters,
Chapman,	Hunter,	Reid, of Fayette,	Woodworth,
Clark,	Kennedy,	Reppert,	Young,
Cowan,	Kessler,	Reynolds,	

Those who voted in the negative were: Messrs.

Appenzeller,	Deaton,	Kathe,	Robinson,
Cameron,	Diser,	Kemerer,	Smith, of Morgan,
Conover,	Freeman,	Leist,	Snyder,
Cooper,	Jackson,	Plank,	of Pickaway,
Davis,	Jenkins,	Quinlisk,	

The bill was passed.

And thereupon, by direction of the speaker, upon section 79, being the emergency section, the yeas and nays were taken and resulted — yeas 55, nays 44, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Detrick,	Lambert,	Snyder,
Beatty,	Ertel,	Leist,	of Hamilton,
Behne,	Etling,	Lustig,	Sweeney,
Bishop,	Foreman,	McGuffey,	Terrell,
Black,	Guthery,	Mueller,	Thatcher,
of Hamilton,	Hite,	Murphy,	Thomas,
Black,	Hoffman,	Orrison,	Venus,
of Wyandot,	Holl,	Reid, of Fayette,	Vollmer,
Bour,	Hoover,	Reppert,	Vonderheide,
Capelle,	Horwitz,	Rhulman,	Walsh,
Carroll,	Kennedy,	Schaefer,	Warnes,
Chapman,	Kessler,	Schweikert,	Welsh,
Clark,	Kilrain,	Shanley,	Wintermute,
Colter,	King,	Siebert,	Winters—55
Cowan,	of Ashtabula,	Smith, of Butler,	

Those who voted in the negative were: Messrs.

Agler,	Crawford,	Hastings,	Plank,
Anderson,	Criswell,	Hunter,	Plumb,
Appenzeller,	of Morrow,	Jackson,	Quinlisk
Barthelmeh,	Davis,	Jenkins,	Reynolds,
Bigelow,	Deaton,	Kemerer,	Robinson,
Boggs,	Dickson,	Kilpatrick,	Smith, of Morgan,
Brown,	Diser,	King,	Tetlow,
of Ashland,	Donaldson,	of Franklin,	White,
Brown, of Union,	Doster,	Mills,	Winans,
Cameron,	Duffey,	Nungesser,	Woodworth,
Conover,	Fellingner,	Nye,	Young—44.
Cooper,	Freeman,	Pence,	

The emergency section, not having received a constitutional majority, was lost.

The title of the bill was agreed to.

The following message was received from the Governor:

State of Ohio
Executive Department
Office of the Governor.

To The General Assembly:

I respectfully submit that a duty rests upon the State to acquaint the National Government with the real menace from hog cholera. It has cast a feeling of discouragement over every farming community, and since the ravages of the disease diminish the food supply, it is beginning to bear heavily on the consumers in the cities.

Every consideration suggests that the Federal Government should lend the same co-operation in the effort to stamp it out that it has given to the southern States in the fight against the cattle tick. No State can meet the condition within its borders. Hogs form such a large part of our interstate traffic that it is useless for any State acting alone to try to meet the situation.

I would suggest, therefore, that the Assembly memorialize Congress to make an appropriation of such size and availability as will enable the Federal Government to co-operate with the States.

JAMES M. COX,
Governor.

January 22, 1914.

Mr. Lowry moved that the recommendation contained in the Governor's message be referred to the proper committee.

The motion was agreed to and the matter was referred to the committee on Agriculture.

Mr. Guthery moved that the vote by which **H. R. No. 6**—Mr. Diser, was adopted, be reconsidered, upon which the yeas and nays were demanded and taken, and resulted — yeas 59, nays 40, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Clark,	Kilrain,	Schweikert,
Appenzeller,	Cowan,	King,	Shanley,
Beatty,	Detrick,	of Ashtabula,	Siebert,
Behne,	Dickson,	Lambert,	Smith, of Butler,
Beyer,	Doster,	Leist,	Snyder,
Bigelow,	Duffey,	Lowry,	of Hamilton,
Bishop,	Ertel,	Lustig,	Snyder,
Black,	Etling,	McGuffey,	of Pickaway,
of Wyandot,	Fellinger,	Morris,	Sweeney,
Boggs,	Guthery,	Mueller,	Terrell,
Bour,	Hite,	Murphy,	Thomas,
Brown,	Hoaglin,	Nungesser,	Venus,
of Ashland,	Horwitz,	Quinlisk,	Vonderheide,
Cameron,	Kathe,	Reppert,	Walsh,
Carroll,	Kessler,	Rhulman,	Welsh,
Chapman,	Kilpatrick,	Schaefer,	Wintermute—59.

Those who voted in the negative were: Messrs.

Anderson,	Davis,	Kemerer,	Robinson,
Barthelmeh,	Deaton,	Kennedy,	Smith, of Morgan,
Bonnell,	Diser,	King,	Tetlow,
Brown, of Union,	Foreman,	of Franklin,	Vollmer,
Colter,	Freeman,	McCormick,	White,
Conover,	Gilson,	Nye,	Williams,
Cooper,	Hastings,	Pence,	Winans,
Criswell,	Hoover,	Plank,	Winters,
of Coshocton,	Hunter,	Plumb,	Woodworth,
Criswell,	Jackson,	Reid, of Fayette,	Young—40.
of Morrow,	Jenkins,	Reynolds,	

Mr. Black, of Hamilton, was excused from voting by the speaker.

The motion was agreed to, and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 39, nays 63, as follows:

Those who voted in the affirmative were: Messrs.

Anderson,	Foreman,	King,	Smith, of Morgan,
Barthelmeh,	Freeman,	of Franklin,	Tetlow,
Bonnell,	Gilson,	McCormick,	Vollmer,
Brown, of Union,	Hastings,	Nye,	Warnes,
Conover,	Hoover,	Pence,	White,
Cooper,	Hunter,	Plank,	Williams,
Criswell,	Jackson,	Plumb,	Winans,
of Coshocton,	Jenkins,	Reid, of Fayette,	Winters,
Davis,	Kemerer,	Reynolds,	Woodworth,
Deaton,	Kennedy,	Robinson,	Young—39.
Diser,			

Those who voted in the negative were: Messrs.

Acker,	Bigelow,	Bour,	Chapman,
Appenzeller,	Bishop,	Brown,	Clark,
Beatty,	Black,	of Ashland,	Cowan,
Behne,	of Wyandot,	Cameron,	Detrick,
Beyer,	Boggs,	Carroll,	Dickson,

Those who voted in the negative are: Messrs.—Concluded.

Doster,	Kessler,	Morris,	Snyder,
Duffey,	Kilpatrick,	Mueller,	of Hamilton,
Ertel,	Kilrain,	Murphy,	Snyder,
Etling,	King,	Nungesser,	of Pickaway,
Fellinger,	of Ashtabula,	Quinlisk,	Sweeney,
Fulton,	Kramer,	Reppert,	Terrell,
Guthery,	Lambert,	Rhulman,	Thomas,
Hite,	Leist,	Schaefer,	Venus,
Hoaglin,	Lowry,	Schweikert,	Vonderheide,
Hoffman,	Lustig,	Shanley,	Walsh,
Horwitz,	McGuffey,	Siebert,	Welsh,
Kathe,	Mills,	Smith, of Butler,	Wintermute—(3).

The resolution was lost.

Mr. Guthery offered **H. R. No. 8.**

• RESOLUTION

To provide for the investigation of the payment of two salaries to members of the House of Representatives.

WHEREAS, It has been charged that several members of this House have been appointed to and have held lucrative positions in the executive and administrative departments of the state government and have drawn salaries in such positions while drawing salaries as members of this House, and

WHEREAS, The payment of such salaries to members of this House for services in another branch of the state government is repugnant to the constitution, in violation of time-honored precedent and fraught with grave danger to the perpetuity of the General Assembly as an independent, coordinate branch of the state government, and

WHEREAS, The constitution specifically declares that no person holding any lucrative office under this state shall have a seat in the General Assembly and excludes from this provision only "township officers, justices of the peace and officers of the militia," and

WHEREAS, It has been charged that members of this House have been paid for services in other departments of the state government by methods tending to conceal such payment from the public, and

WHEREAS, The people of Ohio have a right to know how many salaries their representatives are receiving from the state and whether or not they are entitled to sit longer in this House; therefore,

Resolved, That the speaker of this House is authorized and directed to appoint a committee consisting of five members, none of whom in their present term of office have drawn or are drawing any pay from any executive department of the state government.

Resolved, That said committee is authorized and directed to determine by investigation —

(1) What members of this House, if any, have in their term of office drawn or are now drawing other pay than their salaries as members of this House by virtue of employment in any other than the legislative branch of the government of the state, the source and amount of pay for such service, the means by which such employment was secured and any other matters relating thereto which the committee may deem proper.

(2) What members of this House, if any, by violation of the constitution in such lucrative service, have forfeited their right to sit in this House.

(3) What precedents, if any, exist of similar acceptance of employment on the part of former members of this House and to what extent such employment can be legally accepted.

Resolved, That said committee is authorized to employ a stenographer, send for persons and papers and exercise all powers conferred by law and the constitution; to proceed with the investigation at once, continue its session until its investigation is completed and report the testimony and its findings to this House as soon as practicable and to suggest what new legislation, if any, is necessary to make more effective and enforceable the constitutional provision so charged to have been violated.

Mr. Guthery moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

Mr. Kennedy moved to amend the resolution as follows: Strike out the word "five" and in lieu thereof insert the word "four".

The question was: "Shall the motion of Mr. Kennedy be agreed to?"

Mr. Woodworth moved to amend the motion as follows:

Change the period (.) at the end of the first resolving clause to a comma and add the following: "Said investigating committee of five shall be Democrats".

The speaker declared the amendment to the motion out of order.

The question recurred: "Shall the motion of Mr. Kennedy be agreed to?"

The motion was agreed to.

The question recurred: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 94, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Reynolds,
Anderson,	of Morrow,	Kilpatrick,	Rhulman,
Barthelmeh,	Davis,	Kilrain,	Robinson,
Beatty,	Detrick,	King,	Schaefer,
Behne,	Dickson,	of Ashtabula,	Schweikert,
Beyer,	Diser,	King,	Shanley,
Bigelow,	Doster,	of Franklin,	Siebert,
Bishop,	Duffey,	Kramer,	Smith, of Moran,
Black,	Ertel,	Lambert,	Snyder,
of Wyandot,	Etlng,	Leist,	of Pickaway,
Boggs,	Fellinger,	Lowry,	Sweeney,
Bour,	Foreman,	Lustig,	Terrell,
Brennan,	Freeman,	McCormick,	Tetlow,
Brown,	Fulton,	McGuffey,	Thomas,
of Ashland,	Gilson,	Mills,	Venus,
Cameron,	Guthery,	Morris,	Vonderheide,
Capelle,	Hastings,	Mueller,	Walsh,
Carroll,	Hite,	Murphy,	Warnes,
Clark,	Hoaglin,	Nungesser,	Welsh,
Colter,	Horwitz,	Nye,	White,
Conover,	Hunter,	Pence,	Williams,
Cooper,	Jackson,	Plank,	Winans,
Cowan,	Jenkins,	Plumb,	Wintermute,
Crawford,	Kathe,	Quinlisk	Winters,
	Kennedy,	Reppert,	Woodworth,
			Young—94.

Those who voted in the negative were: Messrs. Bonnell, Chapman and Kemerer.

The resolution was adopted.

H. B. No. 7 — Mr. Clark, was taken up and read the second time. The question was: "Shall the bill be read the third time?"

Mr. Clark moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 10, add an additional section to be known as section 2 as follows: "Section 2. This act is hereby declared to be an emergency act, and its enactment is necessary for the immediate preservation of the public safety and peace. The necessity therefore lies in the fact that the public safety, peace and welfare require that further safeguards be provided immediately for initiative, supplementary and referendum petitions."

The motion was disagreed to.

On motion of Mr. Clark, the rule requiring bills to be referred to the committee on Phraseology, and the constitutional rule requiring bills to be read fully on three different days were dispensed with and

H. B. No. 7 was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken and resulted — yeas 87, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Shanley,
Anderson,	of Morrow,	of Ashtabula,	Smith, of Morgan,
Barthelmeh,	Davis,	King,	Snyder,
Beatty,	Deaton,	of Franklin,	of Hamilton,
Behne,	Detrick,	Kramer,	Snyder,
Beyer,	Doster,	Leist,	of Pickaway,
Bigelow,	Duffey,	Lowry,	Sweeney,
Black,	Ertel,	McCormick,	Terrell,
of Hamilton,	Etling,	McGuffey,	Tetlow,
Black,	Fellinger,	Morris,	Thatcher,
of Wyandot,	Foreman,	Mueller,	Thomas,
Boggs,	Freeman,	Murphy,	Venus,
Bonnell,	Fulton,	Nungesser,	Vollmer,
Bour,	Gilson,	Nye,	Vonderheide,
Brown, of Union,	Guthery,	Orrison,	Walsh,
Cameron,	Hastings,	Pence,	Warnes,
Capelle,	Hoaglin,	Plank,	White,
Chapman,	Hoffman,	Plumb,	Williams,
Clark,	Horwitz,	Reid, of Fayette,	Winans,
Colter,	Jackson,	Reppert,	Wintermute,
Cooper,	Kathe,	Reynolds,	Winters,
Crawford,	Kemerer,	Rhulman,	Woodworth,
Criswell,	Kennedy,	Schaefer,	Young—87.
of Coshocton,	Kessler,	Schweikert,	

The bill was passed.

The title was agreed to.

H. B. No. 9 — Mr. Snyder, of Pickaway, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Snyder, of Pickaway, moved to refer the bill to a select committee of one, with instructions to amend as follows: After line 13, add an additional section to be known as section 3 as follows: "Section 3. This act is hereby declared to be an emergency act, and its enactment is necessary for the immediate preservation of the public safety and peace. The necessity therefor lies in the fact that the public safety,

peace and welfare require that further safeguards be provided immediately for initiative, supplementary and referendum petitions".

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time and referred to the committee on Phraseology.

On motion of Mr. Snyder, of Pickaway, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 9** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 89, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	Kilrain,	Shanley,
Anderson,	Criswell,	King, of Franklin,	Smith, of Butler,
Barthelmeh,	of Coshocton,	Kramer,	Smith, of Morgan,
Beatty,	Criswell,	Lambert,	Snyder,
Behne,	of Morrow,	Lowry,	of Hamilton,
Beyer,	Davis,	McCormick,	Snyder,
Bigelow,	Deaton,	McGuffey,	of Pickaway,
Bishop,	Detrick,	Morris,	Sweeney,
Black,	Doster,	Mueller,	Terrell,
of Hamilton,	Fellinger,	Murphy,	Tetlow,
Black,	Foreman,	Nungesser,	Thomas,
of Wyandot,	Freeman,	Nye,	Venus,
Boggs,	Guthery,	Orrison,	Vollmer,
Bonnell,	Hastings,	Pence,	Vonderheide,
Bour,	Hoffman,	Plank,	Walsh,
Brown, of Union,	Horwitz,	Plumb,	Warnes,
Cameron,	Hunter,	Quinlisk,	White,
Capelle,	Jackson,	Reid, of Fayette,	Williams,
Chapman,	Jenkins,	Reppert,	Winans,
Clark,	Kathe,	Reynolds,	Wintermute,
Colter,	Kemerer,	Rhulman,	Winters,
Conover,	Kennedy,	Robinson,	Woodworth,
Cooper,	Kessler,	Schaefer,	Young—89.
Cowan,	Kilpatrick,	Schweikert,	

Mr. King, of Ashtabula, voted in the negative.

The bill was passed.

The title was agreed to.

H. B. No. 1 — Mr. Warnes, was taken up.

On motion of Mr. Warnes, said bill was ordered placed at the foot of the calendar.

H. B. No. 3 — Mr. Snyder, of Hamilton, was taken up.

On motion of Mr. Snyder, of Hamilton, said bill was ordered placed at the foot of the calendar.

H. J. R. No. 2 — Mr. Smith, of Butler, was taken up.

The question was: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 69, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kramer,	Shanley,
Barthelmeh,	of Morrow,	Lambert,	Smith, of Butler,
Behne,	Davis,	Lowry,	Smith, of Morgan,
Bigelow,	Deaton,	McCormick,	Snyder,
Bishop,	Detrick,	McGuffey,	of Pickaway,
Black,	Doster,	Morris,	Sweeney,
of Wyandot,	Ertel,	Nungesser,	Terrell,
Boggs,	Fellinger,	Nye,	Venus,
Bour,	Foreman,	Orrison,	Vollmer,
Cameron,	Hastings,	Pence,	Vonderheide,
Capelle,	Hunter,	Plank,	Walsh,
Chapman,	Jackson,	Plumb,	White,
Clark,	Jenkins,	Quinlisk,	Williams,
Colter,	Kathe,	Reid, of Fayette,	Winans,
Conover,	Kennedy,	Reynolds,	Wintermute,
Cowan,	Kilpatrick,	Rhulman,	Winters,
Criswell,	Kilrain,	Robinson,	Woodworth,
of Coshocton,	King,	Schaefer,	Young—69.
	of Franklin,	Schweikert,	

The resolution was adopted.

H. J. R. No. 3— Mr. Terrell, was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 66, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Schaefer,
Barthelmeh,	of Coshocton,	of Ashtabula,	Schweikert,
Bigelow,	Criswell,	Kramer,	Shanley,
Bishop,	of Morrow,	Lambert,	Smith, of Butler,
Black,	Davis,	McCormick,	Snyder,
of Wyandot,	Deaton,	McGuffey,	of Hamilton,
Boggs,	Detrick,	Morris,	Sweeney,
Bour,	Duffey,	Mueller,	Terrell,
Brown, of Union,	Ertel,	Nungesser,	Venus,
Cameron,	Fellinger,	Nye,	Vollmer,
Capelle,	Freeman,	Orrison,	Vonderheide,
Chapman,	Hastings,	Pence,	Walsh,
Clark,	Hoffman,	Plank,	White,
Colter,	Jackson,	Plumb,	Williams,
Cooper,	Jenkins,	Quinlisk,	Winans,
Cowan,	Kennedy,	Reppert,	Wintermute,
Crawford,	Kilpatrick,	Reynolds,	Winters,
	Kilrain,	Rhulman,	Young—66.

Mr. Kemerer voted in the negative.

The resolution was adopted.

H. J. R. No. 4— Mr. Terrell, was taken up.

On motion of Mr. Terrell, said resolution was ordered placed at the foot of the calendar.

Mr. Fellinger submitted the following report:

The standing committee on Appropriations and Finance, to which was referred **H. B. No. 8**— Mr. Fellinger, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

Between lines 17 and 18 insert the following:

"SECTION 1. That the governor is hereby authorized and empowered to appoint a special commissioner as Directing Commissioner for Ohio at such exposition, which directing commissioner shall have such exclusive powers and duties with regard to such exposition as the governor may confer upon him and shall receive such compensation for his services as the governor may prescribe. The governor may fill all vacancies in the position of deputy commissioner or directing commissioner and may remove from office any person appointed under this act or the act of May 31, 1911."

In line 18 change "1" to "2".

In line 31 change "2" to "3".

In line 37 change "3" to "4".

JOHN COWAN,
H. FELLINGER,
GEORGE LEIST, JR.,
JAMES R. CLARK,
R. R. KENNEDY,

I. S. GUTHERY,
E. N. BOGGS,
R. R. REYNOLDS,
A. BEYER.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Duffey submitted the following report:

The standing committee on Codes, Courts and Procedure, to which was referred **H. B. No. 22** — Mr. Duffey, having had the same under consideration, reports it back and recommends its passage.

F. J. KILRAIN,
C. B. WINTERS,
WARREN J. DUFFEY,
JAMES NYE,
EDWARD R. MUELLER,

WILLIAM H. SCHWEIKERT,
JOHN R. KING,
WALTER G. AGLER,
JAMES R. CLARK.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

The speaker announced the appointment of Clarence C. Henry to fill a vacancy in the list of pages.

The speaker granted leave of absence to Messrs. Snyder, of Pickaway, and Kramer for Friday.

On motion of Mr. Lowry, the House adjourned at 6:20 o'clock p. m.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio.

Friday, January 23, 1914, 9:00 o'clock a. m.

The House met pursuant to adjournment.

Prayer was offered by the Reverend A. D. Chandler, of Columbus.

The journal of yesterday was read and approved.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House is requested:

S. B. No. 5 — Mr. Herner. To amend section 31 of the General Code, relating to official seals.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Warnes, the rules were suspended and

S. B. No. 5 — Mr. Herner, was referred at once to the committee on Judiciary.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bills, in which the concurrence of the House is requested:

S. B. No. 1 — Mr. Mooney. To amend section 24 of the General Code providing for the disposition of taxes, assessments, licenses, premiums, fees, penalties, fines, costs, sales, rentals and other moneys received for the state.

S. B. No. 11 — Mr. Haas. To amend sections 9934, 9935, 99a6, 9937, 9939, 9941 and 9942 and to supplement said section 9937 by enacting a supplemental section to be known as section 9937-a and to repeal sections 9938, 9940, 9944, 9945, 9946 and 9947 of the General Code relating to the organization and government of universities and colleges, and the election of trustees therein.

S. B. No. 17 — Mr. Broadstone. To amend section 1946 of the General Code, relating to the compensation of the officers and employees of the Ohio soldiers' and sailors' orphans' home.

Attest:

W. V. GOSHORN,
Clerk.

Said bills were read the first time.

Mr. Lowry moved that the rules be suspended and said bills be referred at once to the proper committees.

The motion was agreed to and the bills were referred as follows:

S. B. No. 1 — Mr. Mooney.

To the committee on Judiciary.

S. B. No. 11 — Mr. Haas. To the committee on Universities, Colleges and Normal Schools.

S. B. No. 17 — Mr. Broadstone. To the committee on Ohio Soldiers' and Sailors' Orphans' Home.

Mr. Brennan submitted the following report:

The standing committee on Soldiers' and Sailors' Orphans' Home, to which was referred **S. B. No. 17** — Mr. Broadstone, having had the same under consideration, reports it back and recommends its passage:

LAWRENCE BRENNAN,
J. R. B. KESSLER,
JOHN G. COOPER,

S. C. ANDERSON,
J. C. HOFFMAN,
A. BEYER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Morris asked unanimous consent of the House to grant the clerk permission to have the school bills reprinted as amended by the committee, if at any time during adjournment there shall be filed with him

a written report on any of such bills signed by a majority of the committee on Public Schools.

The request was granted.

In accordance with the provisions of **H. R. No. 8** — Mr. Guthrey, the speaker named the following as the committee: Messrs. Kramer of Richland, Etling of Wayne, Colter of Lucas and Williams of Lorain.

Mr. Appenzeller presented the remonstrances of S. J. McDowell and nineteen other citizens of Darke County, G. A. Plessinger and forty-three other citizens of Darke County, Charles Haines and thirty-six other citizens of Darke County, J. H. Sheets and thirty-one other citizens of Darke County, Lewis H. Kerns and twenty-two other citizens of Darke County, H. H. Brenning and thirty-nine other citizens of Darke County, John A. Subler and eight-one other citizens of Darke County, T. H. Pudebaugh and sixty other citizens of Darke County, G. W. Blakeley and thirty-nine other citizens of Darke County, Albert Alexander and forty-eight other citizens of Darke County, and Josiah Marker and twenty-three other citizens of Darke County, protesting against the passage of any of the proposed school laws by the present House of Representatives, which were referred to the committee on Public Schools.

Mr. Holl presented the remonstrances of John Thieman, Jr., and forty other citizens of Auglaize County, and Henry Westerheide and twenty-four other citizens of Auglaize County, protesting against the passage of any of the proposed school laws by the present House of Representatives, which were referred to the committee on Public Schools.

On motion of Mr. Lowry, the House adjourned at 9:15 o'clock a. m.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Monday, January 26, 1914, 5:00 o'clock p. m.

The House met pursuant to adjournment.

Prayer was offered by Mr. John W. Pontius, general secretary of the Columbus Young Men's Christian Association.

The journal of the last legislative day was read and approved.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 13 — Mr. Weygandt.

To amend section 12600-45 of the General Code, relating to the construction of school buildings.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Warnes, the rule requiring bills to be printed and distributed for the use of the members before the reference thereof was suspended and said bill was referred at once to the committee on Public Buildings.

The following message was received from the Senate.

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 19 — Mr. Hopple.

To amend section 7766 of the General Code, relative to the age limit of females who are entitled to receive schooling certificates.

S. B. No. 16 — Mr. Zmunt.

To authorize the Governor of Ohio to execute a deed for lands within the city of Cleveland.

Attest:

W. V. GOSHORN,
Clerk.

Said bills were read the first time and were referred at once to committees as follows:

S. B. No. 19 — Mr. Hopple. To the committee on Labor.

S. B. No. 16 — Mr. Zmunt. To the committee on Public Buildings and Lands.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following Joint Resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 3 — Mr. Cunningham.

Relative to proper federal and state action to abate the loss sustained from hog cholera.

Attest:

W. V. GOSHORN,
Clerk.

The resolution was laid over under the rule.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the adoption of the following joint resolution:

H. J. R. No. 3 — Mr. Terrell.

Relative to printing one thousand copies of reports of Legislative Canal Commission.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 4 — Mr. Weygandt.

Providing for the printing of extra copies of S. B. No. 18 — Mr. Weygandt.

Attest:

W. V. GOSHORN,
Clerk.

The resolution was laid over under the rule.

The following message was received from the Senate: -

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 2 — Mr. Welsh.

To amend section 2269 of the General Code, relating to the publishing and distribution of the annual reports of the appointive state officers and boards, with the following amendments, in which the concurrence of the House of Representatives is requested:

In line 7 strike out the words "seven hundred" and insert in lieu thereof the words "one thousand".

In line 10 strike out the words "two thousand" and insert in lieu thereof the words "three hundred".

In line 22 strike out the word "four" and insert in lieu thereof the word "two".

In line 31 strike out the words "one hundred" and insert in lieu thereof "fifty".

In line 34 strike out the words "two hundred" and insert in lieu thereof the word "fifty".

Attest:

W. V. GOSHORN,
Clerk.

The question was: "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 4, nays 80, as follows:

Those who voted in the affirmative were: Messrs. Kemerer, Terrell, Tetlow and Young.

Those who voted in the negative were: Messrs.

Acker,	Cowan,	Kathe,	Quinlisk,
Anderson,	Crawford,	Kessler,	Reid, of Fayette,
Barthelmeh,	Criswell,	Kilpatrick,	Reynolds,
Behne,	of Morrow,	King,	Rhulman,
Beyer,	Davis,	of Ashtabula,	Robinson,
Bigelow,	Deaton,	King, of Franklin,	Schaefer,
Bishop,	Dickson,	Kramer,	Schweikert,
Black,	Doster,	Lambert,	Shanley,
of Hamilton,	Etling,	Lowry,	Siebert,
Black,	Fell,	McCormick,	Smith, of Butler,
of Wyandot,	Fellinger,	Mills,	Smith, of Morgan,
Boggs,	Foreman,	Morris,	Sweeney,
Bour,	Freeman,	Mueller,	Thatcher,
Brennan,	Fulton,	Murphy,	Thomas,
Brown,	Gilson,	Nungesser,	Warnes,
of Ashland,	Guthery,	Nye,	Welsh,
Brown, of Union,	Hastings,	Orlikowski,	White,
Cameron,	Hoaglin,	Orrison,	Williams,
Carroll,	Hoover,	Pence,	Winans,
Chapman,	Horwitz,	Plank,	Wintermute,
Colter,	Jenkins,	Plumb,	Winters—80.
Conover,			

The Senate amendments were not concurred in

The following letter addressed to the speaker was read:

State of Ohio,
Executive Department,

January 26, 1914.

My dear Mr. Speaker:

You will recall that the finding of the Secretary of State and the decision of the Supreme Court established beyond peradventure of doubt wholesale fraud and perjury committed by the Equity Association of Cleveland during the summer months. The exposure was brought about by the investigation begun by me and the expenses were paid out of the contingent fund which is appropriated for purposes of this sort.

Within the last day of two the newspapers, very few in number, which have supported the Equity Association throughout its entire sinister existence, published a story to the effect that there was some mystery about the expenditures and the vouchers upon which the disbursements were made. I want to advise you that every voucher is on file and no expenditure was made until after a statement was given in most detail form as to how the expenses were incurred.

I beg to advise you and your colleagues in the House and Senate, who represent the people of the State, to consult these vouchers and be enabled thereby to have a proper understanding of the slander which it is attempted to cast upon the executive branch of government. Ordinarily this should be permitted to go unnoticed in view of the source from which it comes, and yet I feel that the Assembly should be advised that every fact connected with this whole transaction is as open as the day in the official records of the State.

Very truly yours,

JAMES M. COX,

Hon. Chas. L. Swain, Speaker,
Columbus, Ohio.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools to which was referred **H. B. No. 13**—Mr. Lowry, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

At the end of line 2, insert "4690".

In line 5, after the numeral "4728-1" insert "4735-1, 4735-2" and in the same line strike out "4740-1"

In line 6, strike out "7706-5" and "7730-1"

In line 19, strike out the comma (,) after "4682" and add "-1."

In line 23, between the words "exempted" and "by" insert "from the supervision of the county board of education"

In line 39, strike out "Any" and insert in lieu thereof "The board of education of any"

At the end of line 40, add "by a majority vote of the full membership thereof"

In line 52, between the word "and" and the word "is" insert "such census"

In line 53, after the word "shall" insert a comma (,) and the following: "upon notification by the board of education of such village school district,"

In line 57, strike out "hereby" and insert "thereby"

Between lines "63" and "64" insert the following section:—

"Sec. 4690. When territory is annexed to a city or village, such territory thereby becomes a part of the city or village school district, and the legal title to school property in such territory for school purposes shall remain vested in the board of education of the school district from which such territory was detached, until such time as may be agreed upon by the several boards of education when such property may be transferred by warranty deed. * * * "

In line 104, after the word "each" insert the word "regular"

In line 111, strike out the words "may be" and insert in lieu thereof the word "is"

In lines 114 and 115, italicize all the words in such lines.

In line 115, after the word "districts" strike out the period (.) and insert a comma (,) and add the following: "but not more than one member of the county board of education shall reside in any one village or rural school district within the county school district."

In line 116, after the numerals "4728-1" strike out the rest of the line.

Strike out all of lines 117, 118, 119 and 120.

In line 116, after the numeral "4728-1" insert the following:

"All school districts other than village and city school districts within a civil township shall be jointly entitled to one vote in the election of members of the county board of education. The presidents of the boards of education of all such districts in a civil township shall meet for the purpose of choosing one from their number to cast the vote for members of the county board of education. If no such meeting is held in any year for the purpose of choosing one from their number to cast the vote of such boards, the president of the board having the largest tax valuation shall represent all such districts of the civil township at the election of the county board members. A board of education of a rural district having territory in two or more civil townships shall vote with the boards of education of the districts of the civil township in which the greater part of its taxable property is located."

In line 128, after the word "years." insert the following:—

"The presidents of the various boards of education within the county school district shall be paid their necessary and actual expenses incurred while meeting for the purpose of electing members of the county board of education. Such expenses shall be allowed by the county auditor and paid out of the county treasury upon the order of the chairman and clerk of the meeting."

In line 146, after "1914," insert "and each year thereafter."

In line 162, after the word "expenses" insert the following: ", and the expenses of the county superintendent,"

In line 154, between the words "the" and "board" insert the word "county"; between the words "board" and "shall" insert the words "of education"

In line 158, after the word "president" change the period (.) to a comma (,) and insert "or any two members."

Between lines 169 and 170, insert the following:—

"Sec. 4735-1. When a petition signed by not less than one-fourth of the electors residing within the territory constituting a rural school district, praying that the rural district be dissolved and joined to a contiguous rural or village district, is presented to the board of educa-

tion of such district; or when such board, by a majority vote of the full membership thereof, shall decide to submit the question to dissolve and join a contiguous rural or village district, the board shall fix the time of holding such election at a special or general election. The clerk of the board of such district shall notify the deputy supervisor of elections, of the date of such election and the purposes thereof, and such deputy state supervisor shall provide therefor. The clerk of the board of education shall post notices thereof in five public places within the district. The result shall be determined by a majority vote of such electors.

"Sec. 4735-2. The legal title of the property of the rural school district, in case such rural district is dissolved and joined to a rural or village district as provided in section 4735-1, shall become vested in the board of education of the rural or village school district to which such district is joined. The school fund of such dissolved rural district shall become a part of the fund of the rural or village school district which it voted to join. The dissolution of such district shall not be complete until the board of education of the district has provided for the payment of any indebtedness that may exist."

In line 217, after the word "suspend", strike out the word "the" and insert in lieu thereof "any or all".

In the same line strike out the words "any or all subdistricts in the" and insert in lieu thereof "such village or"

In line 218, strike out the word "must" and insert in lieu thereof the word "shall"

In line 219, strike out the words "residing in such subdistrict or subdistricts" and insert in lieu thereof the words "attending such schools"

In line 220, after the word "rural" insert "or village"

Strike out all of line 221, and all of line 222 to the period (.), and in lieu thereof insert the following: "When the average daily attendance of any school for the preceding year has been below twelve, and there is no probable increase during another year, such school shall be suspended and the pupils transferred to such other school as the local board may direct."

In line 222, strike out the words "The schools" and insert the words "No school"

In line 223, strike out the word "not", and in the same line strike out the word "centralized" and insert in lieu thereof the words "suspended or abolished"

In line 224, strike out the letter "a" and insert the word "five", and in the same line strike out the word "place" and insert the word "places". In the same line strike out the word "in" where it occurs the second time.

In line 225, strike out the words "each subdistrict of the" and insert in lieu thereof the words "within such village or"

Strike out all of lines 226 to 235 inclusive.

In line 256, strike out the word "supervisory" and insert the word "supervision"

In line 257, strike out the word "and"

In line 258, after the word "roads" insert "and general topography"

In line 260, strike out the word "eighty" and insert "sixty."

In line 263, between the words "the" and "boards" insert the words "village and rural"

In line 268, strike out the words "three-fourths" and insert in lieu thereof the word "majority"

In lines 271 and 272, strike out the words "whether the number of teachers employed are twenty or less,"

In line 277, change the period (.) to a comma (,) and insert "multiplied by the fraction which represents that fraction of the regular school day which the superintendent gives to supervision."

Strike out all of lines 284 to 294 inclusive.

In line 304, strike out the word "local" and insert the words "village or rural"

In line 318, after the word "the" insert "village and rural"

In line 323, strike out the figure "8" and insert in lieu thereof the figure "4"

In line 328, strike out the words "not to exceed one thousand dollars"

In line 329, after the period (.), insert "In no case shall the amount paid by the state be more than one thousand dollars."

In line 336, strike out the first "the" and insert in lieu thereof the word "their".

In the same line, after the word "compensation", insert the words "and the compensation".

In line 338, after the word "various", insert "village and rural school".

In line 339, after the word "pay", insert "such portion of".

In line 341, change the word "superintendent" to "superintendents".

Between lines 344 and 345 insert the following:

"(2) Six years' experience in teaching, two years' additional experience in supervision, and at least a three-year county high school certificate; or"

In line 345, change the numeral "2" to "3"

In line 348, change the numeral "3" to "4".

In line 351, change the numeral "4" to "5".

In line 355, strike out the article "a" and change the word "superintendent" to "superintendents".

In line 356, after the word "have" insert a colon (:)

In line 357, strike out the article "a" and insert the words "at least a county"

Between lines 358 and 359, insert the following:

"(2) Four years' experience in teaching, one year's additional experience in supervision and at least a county high school certificate; or"

In line 359, change numeral "2" to "3"

In lines 359, 360 and 361, strike out "recognized college or university, and one year professional training, either graduate or under-graduate, in a recognized institution of college or university rank.", and insert in lieu thereof the following: "first grade high school or its equivalent, and in addition thereto two years professional training in a recognized institution of college or normal school rank for the training of teachers and at least a county high school certificate."

In line 374, strike out the words "three-fourths" and insert in lieu thereof the word "majority"

In lines 406 and 407 strike out the words "but shall not personally teach more than one hundred and fifty" and insert in lieu thereof the following: "and shall personally teach not less than one hundred nor more than two hundred"

Strike out all of lines 411 to 414 inclusive.

In line 422, after the word "sections" insert "4690, 4691,"

GEO. M. HOAGLIN,
J. CHAS. CRISWELL,
JOHN J. SHANLEY, SR.,
GEO. M. MORRIS,
FRED BARTHELMEH,

VAN S. DEATON,
G. G. O. PENCE,
W. M. DICKSON,
JOHN F. KRAMER,
JOHN H. LOWRY,

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Bigelow submitted the following report:

The standing committee on Cities to which was referred **H. B.**

No. 11 — Mr. Mills, having had the same under consideration, reports it back and recommends its passage.

HERBERT S. BIGELOW,
DON P. MILLS,
C. P. VENUS,
JAS. T. CARROLL,
ROBERT BLACK,

JOHN G. COOPER,
C. A. ORRISON,
JOHN R. KING,
HARRY N. DONALDSON,
W. T. COLTER,

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Guthery submitted the following report:

The standing committee on Universities and Colleges, to which was referred **S. B. No. 11** — Mr. Haas, having had the same under consideration, reports it back and recommends its passage.

F. M. PLANK,
G. J. C. WINTERMUTE,
M. A. WARNES,

I. S. GUTHERY,
G. M. PLUMB,
ALTON H. ETILING.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Smith, of Butler, offered **H. R. No. 9**.

Resolved, That the Rev. D. J. Starr, of Franklin County, be appointed chaplain to officiate at the opening of the daily sessions of the Ohio House of Representatives during its present session.

Mr. Smith, of Butler, moved that the rule requiring resolutions to lie over one day before being considered, be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The resolution was adopted.

Mr. Nye offered **H. J. R. No. 5**.

Relative to requesting the Governor to send an entirely new message to the Legislature.

Mr. Nye moved that the rule requiring resolutions to lie over one day before being considered be suspended and the resolution be considered at once.

The question was "Shall the rules be suspended?" The yeas and nays were demanded taken and resulted — yeas 29, nays 56, as follows:

Those who voted in the affirmative were: Messrs.

Anderson,	Hastings,	Pence,	Smith, of Morgan,
Brown, of Union,	Hoover,	Plank,	Tetlow,
Colter,	Jenkins,	Plumb,	Thatcher,
Conover,	Kemerer,	Quinlisk,	White,
Davis,	King, of Franklin,	Reid, of Fayette,	Williams,
Deaton,	McCormick,	Reynolds,	Winans,
Freeman,	Nye,	Robinson,	Winters—29.
Gilson,			

Those who voted in the negative were: Messrs.

Acker,	Cowan,	Kathe,	Orrison,
Behne,	Crawford,	Kennedy,	Rhulman,
Beyer,	Criswell,	Kessler,	Schaefer,
Bigelow,	of Morrow,	Kilpatrick,	Schweikert,
Bishop,	Dickson,	King,	Shanley,
Black,	Doster,	of Ashtabula,	Siebert,
of Hamilton,	Etlng,	Kramer,	Smith, of Butler,
Black,	Fell,	Lambert,	Sweeney,
of Wyandot,	Fellinger,	Lowry,	Terrell,
Boggs,	Foreman,	Mills,	Thomas,
Bour,	Fulton,	Morris,	Walsh,
Brennan,	Guthery,	Mueller,	Warnes,
Brown,	Hoaglin,	Murphy,	Welsh,
of Ashland,	Holl,	Nungesser,	Wintermute,
Cameron,	Horwitz,	Orlikowski,	Young—56.
Carroll,			

The motion was disagreed to and **H. J. R. No. 5** was laid over under the rules.

Mr. Carroll offered **H. J. R. No. 6.**

Relative to the approval of a bill now pending in Congress known as "The Hamill Bill."

The resolution was laid over under the rule.

Mr. Dickson offered **H. J. R. No. 7.**

Relative to the printing of extra copies of **H. B. No. 19.**

The resolution was laid over under the rule.

The following bill was introduced and read the first time:

H. B. No. 28 — Mr. Lambert.

To add section 5080-1 to the General Code providing for inspectors to the count at referendum elections.

On motion of Mr. Warnes, the House adjourned at 5:55 o'clock p. m.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Tuesday, January 27, 1914, 1:30 o'clock p. m.

The House met pursuant to adjournment.

Prayer was offered by the Reverend D. J. Starr, of Columbus.

The journal of yesterday was read and approved.

The clerk read the resignation of the Honorable A. Ross Read, as a member from Summit county.

H. B. No. 8—Mr. Fellingner, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Anderson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 22, after the comma (,) insert "of paying one-half the transportation charges of the livestock exhibits of this state, providing such charges do not exceed fifteen per cent. of the total appropriation."

Mr. Reppert moved to amend the amendment as follows: At the end of amendment by adding thereto: "The term livestock shall include visitors to the exposition."

Mr. Reid raised a point of order that the amendment was not germane to the motion. The speaker sustained the point of order and declared the amendment to the motion out of order.

The question recurred: "Shall the motion of Mr. Anderson be agreed to?"

Mr. Snyder of Hamilton moved to amend the amendment as follows: Insert the word "Ohio-bred" before the word "livestock".

The question was: "Shall the amendment to the motion be agreed to?"

The amendment was disagreed to.

The question recurred: "Shall the motion of Mr. Anderson be agreed to?"

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Fellingner, the rule requiring bills to be referred to the Committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 8** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 84, nays 23, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Kessler,	Schaefer,
Anderson,	Criswell,	Kilpatrick,	Schweikert,
Appenzeller,	of Coshocton,	Kilrain,	Shanley,
Barthelmeh,	Detrick,	King,	Siebert,
Beatty,	Dickson,	of Ashtabula,	Smith, of Butler,
Behne,	Donaldson,	Kramer,	Smith, of Morgan,
Beyer,	Doster,	Leist,	Snyder,
Bigelow,	Duffey,	Lowry,	of Hamilton,
Bishop,	Ertel,	Lustig,	Snyder,
Black,	Etling,	McGuffey,	of Pickaway,
of Wyandot,	Fell,	Mills,	Sweeney,
Boggs,	Fellingner,	Morris,	Terrell,
Bonnell,	Foreman,	Mueller,	Tetlow,
Bour,	Fulton,	Nungesser,	Thomas,
Brennan,	Guthery,	Nye,	Venus,
Brown,	Hastings,	Orlikowski,	Vollmer,
of Ashland,	Hite,	Orrison,	Vonderheide,
Cameron,	Hoaglin,	Pence,	Walsh,
Carroll,	Hoffman,	Plank,	Warnes,
Chapman,	Holl,	Plumb,	Welsh,
Clark,	Horwitz,	Quinisk,	Winans,
Colter,	Kathe,	Reid, of Fayette,	Wintermute,
		Rhulman,	Winters—84.

Those who voted in the negative were: Messrs.

Agler,	Crawford,	Gilson,	Reppert,
Black,	Criswell,	Hoover,	Robinson,
of Hamilton,	of Morrow,	Hunter,	Stivers,
Brown, of Union,	Davis,	Jenkins,	Thatcher,
Capelle,	Deaton,	Kemerer,	White,
Cooper,	Freeman,	King, of Franklin,	Woodworth,
			Young—23.

The bill was passed.

And thereupon, by direction of the speaker, upon Section 4, being the emergency section, the yeas and nays were taken, and resulted — yeas 85, nays 17, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	of Ashtabula,	Shanley,
Anderson,	of Coshocton,	Kramer,	Siebert,
Appenzeller,	Detrick,	Lambert,	Smith, of Butler,
Beatty,	Dickson,	Leist,	Smith, of Morgan,
Behne,	Doster,	Lowry,	Snyder,
Beyer,	Duffey,	Lustig,	of Hamilton,
Bishop,	Ertel,	McGuffey,	Snyder,
Black,	Etling,	Mills,	of Pickaway,
of Wyandot,	Fell,	Morris,	Sweeney,
Boggs,	Fellinger,	Mueller,	Terrell,
Bonnell,	Foreman,	Nungesser,	Thatcher,
Bour,	Fulton,	Nye,	Thomas,
Brennan,	Guthery,	Orlikowski,	Venus,
Brown,	Hastings,	Orrison,	Vollmer,
of Ashland,	Hite,	Pence,	Vonderheide,
Cameron,	Hoaglin,	Plank,	Walsh,
Carroll,	Hoffman,	Plumb,	Warnes,
Chapman,	Holl,	Quinlisk,	Welsh,
Clark,	Horwitz,	Reppert,	Winans,
Colter,	Kathe,	Reynolds,	Wintermute,
Conover,	Kessler,	Rhulman,	Winters,
Cowan,	Kilpatrick,	Schaefer,	Woodworth—85.
Crawford,	King,	Schweikert,	

Those who voted in the negative were: Messrs.

Agler,	Criswell,	Freeman,	Robinson,
Bigelow,	of Morrow,	Gilson,	Stivers,
Brown, of Union,	Davis,	Hoover,	White,
Capelle,	Deaton,	Hunter,	Williams,
		Jenkins,	Young—17.

The emergency section was adopted.

The title of the bill was agreed to.

H. B. No. 22 — Mr. Duffey, was taken up.

On motion of Mr. Duffey, said bill was ordered placed at the foot of the calendar.

H. B. No. 1 — Mr. Warnes, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. King, of Ashtabula, moved to refer the bill to a select committee of one, which instructions to amend as follows:

In line 44, after the first word "state" insert a comma (,)

The motion was agreed to, and Mr. King, of Ashtabula, was appointed such committee, and reported the bill amended as instructed.

Mr. Conover moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 42, strike out all after the word "chapter"

Strike out lines 43, 44, 45 and insert the following:

"shall be paid by the treasurer of state quarterly into the different county treasuries of the counties through the proper county auditors, making an equal distribution thereof among all the counties of the state. All such money coming into the county treasury shall be a separate fund for the repair, maintenance, protection, policing and patrolling of the improved public roads and highways or mail routes of such county, and be expended under the direction of the county commissioners of such county."

Mr. Snyder, of Pickaway, raised a point of order that the matter contained in the amendment did not come within the purview of the call of the Governor.

The speaker sustained the point of order and declared the amendment out of order.

Mr. Conover moved to appeal from the decision of the speaker.

The question was: "Shall the decision of the speaker be sustained?"

The yeas and nays were demanded, taken and resulted — yeas 70, nays 39, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Schaefer,
Beatty,	of Coshocton,	Kilpatrick,	Schweikert,
Behne,	Criswell,	Kilrain,	Shanley,
Beyer,	of Morrow,	King,	Siebert,
Bigelow,	Detrick,	of Ashtabula,	Smith, of Butler,
Bishop,	Dickson,	Kramer,	Snyder,
Black,	Donaldson,	Lambert,	of Hamilton,
of Hamilton,	Doster,	Leist,	Snyder,
Black,	Duffey,	Lowry,	of Pickaway,
of Wyandot,	Ertel,	Lustig,	Sweeney,
Boggs,	Etling,	McGuffey,	Thomas,
Bour,	Fell,	Mills,	Venus,
Brennan,	Fellingner,	Mueller,	Vollmer,
Brown,	Fulton,	Murphy,	Vonderheide,
of Ashland,	Guthery,	Nungesser,	Walsh,
Carroll,	Hite,	Orlikowski,	Warnes,
Chapman,	Hoaglin,	Orrison,	Welsh,
Clark,	Hoffman,	Reppert,	Wintermute,
Cowan,	Horwitz,	Rhulman,	Young—70.
Crawford,	Kathe,		

Those who voted in the negative were: Messrs.

Agler,	Davis,	King, of Franklin,	Stivers,
Anderson,	Deaton,	Nye,	Terrell,
Appenzeller,	Foreman,	Pence,	Tetlow,
Barthelmeh,	Freeman,	Plank,	Thatcher,
Bonnell,	Gilson,	Plumb,	White,
Brown, of Union,	Holl,	Quinlisk,	Williams,
Cameron,	Hoover,	Reid, of Fayette,	Winans,
Capelle,	Jackson,	Reynolds,	Winters,
Conover,	Jenkins,	Robinson,	Woodworth—39.
Cooper,	Kennedy,	Smith, of Morgan,	

The decision of the speaker was sustained.

Mr. Warnes demanded a call of the House, which was duly seconded, taken and 114 members answered to their names.

Those absent were: Messrs. McCormick, Reighard, Rhulman and Scott.

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Horwitz, further proceedings under the call were dispensed with.

The question recurred: "Shall the bill be read the third time?"

Mr. Lowry demanded the previous question, which was duly seconded. The question was: "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. King, of Ashtabula, the rule requiring bills to be referred to the Committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 1** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?" The yeas and nays were taken, and resulted — yeas 84, nays 30, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Colter,	Holl,	Rhulman,
Anderson,	Cowan,	Horwitz,	Schaefer,
Appenzeller,	Crawford,	Kathe,	Schweikert,
Barthelmeh,	Criswell,	Kennedy,	Shanley,
Beatty,	of Coshocton,	Kessler,	Siebert,
Behne,	Criswell,	Kilpatrick,	Smith, of Butler,
Beyer,	of Morrow,	Kilrain,	Snyder,
Bigelow,	Davis,	King,	of Hamilton,
Bishop,	Detrick,	of Ashtabula,	Snyder,
Black,	Dickson,	Kramer,	of Pickaway,
of Hamilton,	Donaldson,	Lambert,	Sweeney,
Black,	Doster,	Leist,	Tetlow,
of Wyandot,	Duffey,	Lowry,	Thomas,
Boggs,	Ertel,	Lustig,	Venus,
Bonnell,	Eting,	McGuffey,	Vollmer,
Bour,	Fell,	Mills,	Vonderheide,
Brennan,	Fellinger,	Mueller,	Walsh,
Brown,	Foreman,	Murphy,	Warnes,
of Ashland,	Fulton,	Nungesser,	Welsh,
Cameron,	Guthery,	Nye,	White,
Carroll,	Hite,	Orlikowski,	Wintermute,
Chapman,	Hoaglin,	Orrison,	Winters,
Clark,	Hoffman,	Reppert,	Young—84.

Those who voted in the negative were: Messrs.

Agler,	Gilson,	Pence,	Smith, of Morgan,
Brown, of Union,	Hastings,	Plank,	Stivers,
Capelle,	Hoover,	Plumb,	Terrell,
Conover,	Hunter,	Quinlisk,	Thatcher,
Cooper,	Jackson,	Reid, of Fayette,	Williams,
Deaton,	Jenkins,	Reynolds,	Winans,
Diser,	Kemerer,	Robinson,	Woodworth—30.
Freeman,	King, of Franklin,		

The bill was passed.

And thereupon, by direction of the speaker, upon Section 3, being the emergency section, the yeas and nays were taken, and resulted — yeas 68, nays 41, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Colter,	Kathe,	Schaefer,
Anderson,	Cowan,	Kennedy,	Schweikert,
Barthelmeh,	Detrick,	Kessler,	Shanley,
Beatty,	Dickson,	King,	Siebert,
Behne,	Donaldson,	of Ashtabula,	Smith, of Butler,
Beyer,	Doster,	Kramer,	Snyder,
Bishop,	Duffey,	Leist,	of Hamilton,
Black,	Ertel,	Lowry,	Snyder,
of Hamilton,	Etling,	Lustig,	of Pickaway,
Black,	Fell,	McGuffey,	Sweeney,
of Wyandot,	Fellinger,	Mueller,	Thomas,
Boggs,	Foreman,	Murphy,	Venus,
Bour,	Fulton,	Nungesser,	Vonderheide,
Brennan,	Guthery,	Nye,	Walsh,
Brown,	Hite,	Orlikowski,	Warnes,
of Ashland,	Hoaglin,	Orrison,	Welsh,
Carroll,	Hoffman,	Reppert,	Wintermute,
Chapman,	Holl,	Rhulman,	Winters—68.
Clark,	Horwitz,		

Those who voted in the negative were: Messrs.

Agler,	Davis,	Kilpatrick,	Reid, of Fayette,
Appenzeller,	Deaton,	Kilrain,	Robinson,
Bigelow,	Diser,	King, of Franklin,	Smith, of Morgan,
Bonnell,	Freeman,	Lambert,	Terrell,
Brown, of Union,	Gilson,	Mills,	Tetlow,
Capelle,	Hastings,	Morris,	Vollmer,
Conover,	Hoover,	Pence,	White,
Cooper,	Hunter,	Plank,	Williams,
Crawford,	Jackson,	Plumb,	Winans,
Criswell,	Jenkins,	Quinlisk,	Young—41.
of Morrow,	Kemerer,		

Mr. Black, of Hamilton, raised the question of order as to the majority necessary to pass the emergency section, on which question the speaker reserved his decision.

The title of the bill was agreed to.

H. B. No. 3—Mr. Snyder, of Hamilton, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. vonder Heide moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out all of line 125 after the (.) period and lines 126, 127, 128, and the word "tickets" and the (.) period in line 129. Strike out the words "or list" in line 129 and in line 130 strike out the (.) period and insert a (,) comma and insert the following, "Nor shall the name of any candidate be printed upon any ballot unless it be upon the ticket of a political party."

Mr. Clark raised a point of order that the matter contained in the amendment did not come within the purview of the call of the Governor.

The speaker sustained the point of order and declared the amendment out of order.

Mr. King, of Franklin, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 107 add: Unless appealed from as hereinafter provided for.

In line 109 add: Unless appealed from as hereinafter provided for.

In line 112 add: Unless appealed from as hereinafter provided for.

After line 118 add: "A candidate involved or directly affected thereby, or any party to the objections or other question arising in the

course of the nomination of candidates may, within three days after the decision by the authority or authorities provided for in this section, appeal from the decision of such authority or authorities to the court of common pleas of the county wherein the petitions for the nomination in question are required to be filed finally. Upon the giving of bond for the security of costs said court of common pleas shall order the authority or authorities whose decision is appealed from to forthwith transmit to said court all papers, records and documents pertaining to the subject of the appeal. Said court of common pleas without further pleadings shall hear and determine said objections or other questions within fifteen days after the perfecting of such appeal. The decision of such court of common pleas shall be final."

Mr. Black, of Hamilton, raised a point of order that the matter contained in the amendment did not come within the purview of the call of the Governor.

The Speaker sustained the point of order and declared the amendment out of order.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Snyder, of Hamilton, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 3** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 109, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Jenkins,	Rhulman,
Agler,	of Coshocton,	Kathe,	Robinson,
Anderson,	Criswell,	Kemerer,	Schaefer,
Appenzeller,	of Morrow,	Kessler,	Schweikert,
Barthelmeh,	Davis,	Kilpatrick,	Shanley,
Beatty,	Deaton,	King,	Siebert,
Behne,	Detrick,	of Ashtabula,	Smith, of Butler,
Beyer,	Dickson,	King, of Franklin,	Smith, of Morgan,
Bigelow,	Diser,	Kramer,	Snyder,
Bishop,	Doster,	Lambert,	of Hamilton,
Black,	Duffey,	Leist,	Snyder,
of Hamilton,	Ertel,	Lowry,	of Pickaway,
Black,	Etling,	Lustig,	Stivers,
of Wyandot,	Fell,	McCormick,	Sweeney,
Boggs,	Fellinger,	McGuffey,	Tetlow,
Bonnell,	Foreman,	Morris,	Thatcher,
Bour,	Freeman,	Mueller,	Thomas,
Brennan,	Fulton,	Murphy,	Venus,
Brown,	Gilson,	Nungesser,	Vollmer,
of Ashland,	Guthery,	Nye,	Vonderheide,
Brown, of Union,	Hastings,	Orlikowski,	Walsh,
Cameron,	Hite,	Orrison,	Warnes,
Capelle,	Hoaglin,	Pence,	Welsh,
Carroll,	Hoffman,	Plank,	White,
Chapman,	Holl,	Plumb,	Williams,
Clark,	Hoover,	Quinlisk,	Winans,
Colter,	Horwitz,	Reid, of Fayette,	Wintermute,
Cowan,	Hunter,	Reppert,	Winters,
Crawford,	Jackson,	Reynolds,	Woodworth,
			Young—109.

The bill was passed.

The title was agreed to.

S. B. No. 17 — Mr. Broadstone, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Brennan, the rule requiring bills to be referred to the Committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 17** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 110, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kemerer,	Robinson,
Anderson,	of Coshocton,	Kennedy,	Schaefer,
Appenzeller,	Criswell,	Kessler,	Schweikert,
Barthelmeh,	of Morrow,	Kilpatrick,	Shanley,
Beatty,	Davis,	Kilrain,	Siebert,
Behne,	Deaton,	King,	Smith, of Butler,
Beyer,	Detrick,	of Ashtabula,	Smith, of Morgan,
Bigelow,	Dickson,	King, of Franklin,	Snyder,
Bishop,	Doster,	Kramer,	of Hamilton,
Black,	Duffey,	Lambert,	Snyder,
of Hamilton,	Ertel,	Leist,	of Pickaway,
Black,	Etling,	Lowry,	Sweeney,
of Wyandot,	Fell,	Lustig,	Terrell,
Boggs,	Fellinger,	McCormick,	Tetlow,
Bonnell,	Foreman,	McGuffey,	Thatcher,
Bour,	Freeman,	Mills,	Thomas,
Brennan,	Fulton,	Morris,	Venus,
Brown,	Gilson,	Mueller,	Vollmer,
of Ashland,	Guthery,	Nungesser,	Vonderheide,
Brown, of Union,	Hastings,	Nye,	Walsh,
Cameron,	Hite,	Orlikowski,	Warnes,
Capelle,	Hoaglin,	Orrison,	Welsh,
Carroll,	Hoffman,	Pence,	White,
Chapman,	Holl,	Plank,	Williams,
Clark,	Hoover,	Plumb,	Winans,
Colter,	Horwitz,	Quinlisk,	Wintermute,
Conover,	Hunter,	Reid, of Fayette,	Winters,
Cowan,	Jackson,	Reppert,	Woodworth,
Crawford,	Jenkins,	Reynolds,	Young—110.
	Kathe,	Rhulman,	

The bill was passed.

The title was agreed to.

On motion of Mr. Lowry, the House recessed until Wednesday at 10:00 o'clock a. m.

Wednesday, January 28, 1914, 10:00 o'clock A. M.

The House met pursuant to recess.

Prayer was offered by the Rev. D. J. Starr, of Columbus.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 4 — Mr. Etling.

To supplement section 9955 of the General Code by the enactment of supplemental sections 9955-1 and 9955-2, to authorize the interchangeable use of the words "academy", "college" and "university".

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate insists on its amendments to **H. B. No. 2**—Mr. Welsh, and asks for a Committee of Conference.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Warnes moved that the House accede to the request of the Senate and that a committee on conference be appointed.

The motion was agreed to and the speaker appointed, as managers on the part of the House, Messrs. Welsh, Criswell, of Coshocton, and Cowan.

The speaker announced that, after having had under advisement the question of order as to the majority necessary to pass the emergency section on **H. B. No. 1**—Mr. Warnes, he would decide that a majority of two-thirds would be necessary, and declared the emergency clause on said bill was lost.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following:

H. J. R. No. 2—Mr. Smith, of Butler.

With the following amendment, in which the concurrence of the House of Representatives is requested:

Strike out all after the enacting clause and insert the following:

"That the clerk of the Senate and the clerk of the House of Representatives are hereby directed to have printed fifty additional copies of all bills, resolutions and other legislative documents of the present session, which copies shall be delivered by the printer direct to the legislative reference bureau for its use."

Attest:

W. V. GOSHORN,
Clerk.

The question was: "Shall the Senate amendment be concurred in?"

The yeas and nays were taken, and resulted—yeas 2, nays 75, as follows:

Those who voted in the affirmative were: Messrs. Bigelow and Capelle.

Those who voted in the negative were: Messrs.

Acker,	Beyer,	Bonnell,	Criswell,
Agler,	Bishop,	Brennan,	of Coshocton,
Anderson,	Black,	Cameron,	Criswell,
Appenzeller,	of Hamilton,	Chapman,	of Morrow,
Barthelmeh,	Black,	Conover,	Davis,
Beatty,	of Wyandot,		Deaton,

Those who voted in the negative are: Messrs. — Concluded.

Detrick,	Hunter,	Nungesser,	Snyder,
Dickson,	Jenkins,	Nye,	of Pickaway,
Doster,	Kathe,	Orrison,	Stivers,
Fell,	Kemerer,	Pence,	Terrell,
Foreman,	Kennedy,	Plumb,	Thatcher,
Freeman,	Kessler,	Quinlisk,	Venus,
Gilson,	Kilpatrick,	Reppert,	Vollmer,
Guthery,	Kilrain,	Rhulman,	Walsh,
Hastings,	King,	Schaefer,	Warnes,
Hite,	of Ashtabula,	Schweikert,	White,
Hoaglin,	Lambert,	Shanley,	Williams,
Hoffman,	Leist,	Smith, of Butler,	Winters,
Holl,	Lowry,	Smith, of Morgan,	Woodworth,
Hoover,	McCormick,	Snyder,	Young—75.
Horwitz,	McGuffey,	of Hamilton,	

The Senate amendment was not concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 5 — Mr. Beckett.

Authorizing the printing of one thousand additional copies of "Ohio Legislative History 1909-1913."

Attest:

W. V. GOSHORN,
Clerk.

Mr. Smith, of Butler, moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 76, nays 5, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Kennedy,	Shanley,
Agler,	Deaton,	Kessler,	Siebert,
Appenzeller,	Detrick,	Kilpatrick,	Smith, of Butler,
Barthelmeh,	Dickson,	Kilrain,	Smith, of Morgan,
Beatty,	Donaldson,	Lambert,	Snyder,
Behne,	Doster,	Leist,	of Hamilton,
Beyer,	Etling,	Lowry,	Snyder,
Bigelow,	Fell,	Lustig,	of Pickaway,
Bishop,	Foreman,	McGuffey,	Stivers,
Black,	Freeman,	Mills,	Tetlow,
of Wyandot,	Guthery,	Nungesser,	Venus,
Bonnell,	Hastings,	Nye,	Walsh,
Bour,	Hite,	Orrison,	Welsh,
Brennan,	Hoaglin,	Pence,	Williams,
Brown, of Union,	Hoffman,	Quinlisk,	Winans,
Cameron,	Holl,	Reppert,	Wintermute,
Capelle,	Hunter,	Reynolds,	Winters,
Chapman,	Jackson,	Rhulman,	Woodworth,
Clark,	Jenkins,	Schaefer,	Young—76.
Cowan,	Kathe,	Schweikert,	

Messrs. Gilson, Hoover, Kemerer, Terrell and White voted in the negative.

The resolution was adopted.

H. B. No. 13—Mr. Lowry, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Barthelmeh moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 308 strike out "three-fourths" and insert in lieu thereof "one-half".

In line 311 strike out "three-fourths" and insert in lieu thereof "one-half".

The motion was agreed to, and Mr. Barthelmeh was appointed such committee, and reported the bill amended as instructed.

Mr. Bigelow moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out after the period in line 119 and all of line 120 and all before and including the period in line 121 and substitute therefor the following:

"The president of the village and rural boards shall be entitled each to a number of votes equal to the number of teachers employed by the board over which he presides."

The motion was disagreed to.

Mr. Nungesser moved to refer the bill to a select committee of one, with instructions to amend as follows: Following line 296, add the following: "The county board of education shall, upon the application of three-fourths of the presidents of the village and rural district boards of the county, redistrict the county into supervisory districts."

The motion was agreed to, and Mr. Nungesser was appointed such committee, and reported the bill amended as instructed.

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 296, change the word "sixty" to "seventy".

The motion was agreed to, and Mr. Cowan was appointed such committee, and reported the bill amended as instructed.

Mr. Nye moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 41, after the first comma insert the following: "or any village now maintaining a first-grade high school,"

The motion was disagreed to.

Mr. Plank moved to refer the bill to a select committee of one, with instructions to amend as follows:

In lines 40 and 41 strike out "three thousand" and in lieu thereof insert "twenty-five hundred".

The motion was disagreed to.

Mr. Hite offered the following amendments, upon which Mr. Black of Hamilton requested a division, and the speaker divided the amendments as follows:

DIVISION I.

After the word "meeting" in line 217 insert a comma (,) and add: "by a four-fifths vote."

The question was: "Shall the first division of the amendments be agreed to?"

The first division was agreed to.

DIVISION II.

In line 294, strike out the word "typography" and in lieu thereof insert the word "topography".

The question was: "Shall the second division be agreed to?"

The second division was agreed to.

The amendments were agreed to, and Mr. Hite was appointed a committee of one to amend, and reported the bill amended as instructed.

On motion of Mr. Lowry, the House recessed until 1:30 o'clock P. M.

1:30 o'clock P. M.

The House met pursuant to recess.

The question was: Shall **H. B. No. 13** — Mr. Lowry, be read the third time?"

Mr. McGuffey moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 446, after the period (.) add the following:—

"Any county superintendent or district superintendent who becomes connected with or interested in any school not under state control, or is employed in any such institution in his own county, or becomes an agent of or interested in any book publishing or book selling company or educational journal or magazine, shall become ineligible to hold such office and shall be forthwith removed by the board having control over such county superintendent or district superintendent."

The motion was agreed to, and Mr. McGuffey was appointed such committee, and reported the bill amended as instructed.

Mr. Woodworth moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 224, change "fifteen" to "ten".

The motion was disagreed to.

Mr. Anderson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 8, before the word "rural", insert the word "and".

In lines 8 and 9 strike out the words "and county school districts".

In line 12 strike out the words "after approval by the county".

In line 13 strike out the word "board".

Strike out all of lines 22 to 29 inclusive.

Strike out all of lines 39 to 44 inclusive.

Strike out all of lines 45 to 56 inclusive.

Strike out all of lines 57 to 61 inclusive.

In line 72 strike out the word "county".

In line 73 strike out the word "county".

Strike out all of lines 116 to 126 inclusive.

Strike out all of lines 127 to 138 inclusive.

Strike out all of lines 139 to 164 inclusive.

Strike out all of lines 165 to 187 inclusive.

In line 189 strike out the words "changed by the county board of education" and insert in lieu thereof the words "dissolved by vote of the electors".

Strike out all of lines 213 to 227 inclusive. In lines 230 and 231 strike out the words "or upon the order of the county board of education".

In line 255 strike out the words "school district".

In line 257 strike out the words "school district".

In lines 257 and 258 strike out all after the word "district".

In line 279 strike out the words "when local boards of education".

Strike out all of lines 280, 281 and 282.

Strike out all of lines 283 to 287 inclusive.

Strike out all of lines 288 to 296 inclusive.

Strike out all of lines 297 to 305 inclusive.

Strike out all of lines 306 to 321 inclusive.

Strike out all of lines 323 to 327 inclusive and insert in lieu thereof the following:

"Section 4742. The board of education of each village and rural school district shall appoint a suitable person to act as superintendent of schools of such district, who shall possess the qualifications specified in section 4744-5. In case any school district is unable to provide efficient supervision such district may combine with one or more contiguous districts by agreement of the school boards of such districts and appoint a superintendent who shall devote his entire time to supervision".

In lines 328 and 329 strike out the words "not less than sixty days before the expiration of the term of any district superintendent" and insert in lieu thereof the following:

"The school districts in any county which have not provided superintendents by August 1st, 1914, as provided in section 4741."

In line 329 strike out the word "within" and insert in lieu thereof of the word "of".

In line 330 strike out all of the line after the word "such".

In line 331 strike out the words "village or rural districts, the boards of education of such districts" and insert in lieu thereof the words: "districts shall meet and elect a superintendent who shall have charge of such districts."

In line 332 strike out the words "elect his successor."

In line 335 strike out the words "board of education" and insert in lieu thereof the word "auditor".

In line 336 strike out the word "district".

In lines 338 and 339 strike out the words "such compensation shall be paid out of the county treasury on vouchers signed by the president of the county board".

In lines 339 and 340 strike out the word "districts".

In line 342 strike out the word "supervision" and insert the word "local".

In the same line change the word "district" to "districts".

Strike out all of line 342 after the word "district".

Strike out all of lines 343 and 344.

In line 345 strike out the words "number of teachers employed is to forty".

Strike out all of lines 348 to 369 inclusive.

Strike out all of lines 370 to 387 inclusive.

In line 388 strike out the word "district".

In line 397 strike out the word "the".

Strike out all of lines 398 to 403 inclusive.

In line 423 strike out the words "at the request of the county board of education he shall teach in teachers' training courses which may be organized in the county school districts" and insert in lieu thereof the following: "Any school district which does not provide adequate supervision for the schools of such district as provided in this act shall be

ineligible to receive any portion of the common school funds for the years in which supervision is not maintained".

In line 428 strike out the words "the county superintendent".

Strike out all of lines 429, 430, 431.

Strike out all of lines 435 to 446 inclusive.

The question was: "Shall the motion of Mr. Anderson be agreed to?"

Mr. Warnes demanded a call of the House, which was duly seconded, taken, and 109 members answered to their names.

Those absent were: Messrs. Bigelow, Boggs, Kemerer, Murphy, Reighard, Scott, Terrell and Tetlow.

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Horwitz, further proceedings under the call were dispensed with.

The question recurred: "Shall the motion of Mr. Anderson be agreed to?"

The yeas and nays were demanded, taken and resulted — yeas 31, nays 80, as follows:

Those who voted in the affirmative were: Messrs.

Agler,	Deaton,	McCormick,	Stivers,
Anderson,	Diser,	Pence,	Tetlow,
Bonnell,	Gilson,	Plank,	White,
Brown, of Union,	Hastings,	Plumb,	Williams,
Capelle,	Hoover,	Reid, of Fayette,	Winans,
Conover,	Jackson,	Robinson,	Wintermute,
Cooper,	Jenkins,	Reynolds,	Woodworth—31.
Davis,	King, of Franklin,	Smith, of Morgan,	

Those who voted in the negative were: Messrs.

Acker,	Crawford,	Kennedy,	Schaefer,
Appenzeller,	Criswell,	Kessler,	Schweikert,
Barthelmeh,	of Coshocton,	Kilpatrick,	Shanley,
Beatty,	Detrick,	Kilrain,	Siebert,
Behne,	Dickson,	King,	Smith, of Butler,
Beyer,	Donaldson,	of Ashtabula,	Snyder,
Bishop,	Doster,	Lambert,	of Hamilton,
Black,	Duffey,	Leist,	Snyder,
of Hamilton,	Ertel,	Lowry,	of Pickaway,
Black,	Etling,	Lustig,	Sweeney,
of Wyandot,	Fell,	McGuffey,	Terrell,
Boggs,	Fellinger,	Mills,	Thatcher,
Bour,	Foiesman,	Morris,	Thomas,
Brennan,	Fulton,	Mueller,	Venus,
Brown,	Guthery,	Murphy,	Vollmer,
of Ashland,	Hite,	Nunnesser,	Vonderheide,
Cameron,	Hoaglin,	Nye,	Walsh,
Carroll,	Hoffman,	Orlikowski,	Warnes,
Chapman,	Holl,	Orrison,	Welsh,
Clark,	Horwitz,	Quinlisk,	Winters,
Colter,	Hunter,	Reppert,	Young—80.
Cowan,	Kathe,	Rhulman,	

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

Mr. Horwitz demanded the previous question, which was duly seconded. The question was: "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Warnes, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 13** was engrossed at the clerk's desk and read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 88, nays 27, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Kilpatrick,	Schweikert,
Barthelmeh,	Deaton,	Kilrain,	Shanley,
Beatty,	Detrick,	King,	Siebert,
Behne,	Dickson,	of Ashtabula,	Smith, of Butler,
Beyer,	Donaldson,	Kramer,	Snyder,
Bigelow,	Doster,	Lambert,	of Hamilton,
Black,	Duffey,	Leist,	Snyder,
of Hamilton,	Ertel,	Lowry,	of Pickaway,
Black,	Etling,	Lustig,	Sweeney,
of Wyandot,	Fell,	McCormick,	Terrell,
Boggs,	Fellinger,	McGuffey,	Thatcher,
Bour,	Foreman,	Mills,	Thomas,
Brennan,	Fulton,	Morris,	Venus,
Brown,	Guthery,	Mueller,	Vollmer,
of Ashland,	Hite,	Murphy,	Vonderheide,
Cameron,	Hoaglin,	Nungesser,	Walsh,
Carroll,	Hoffman,	Nye,	Warnes,
Chapman,	Holl,	Orlikowski,	Welsh,
Clark,	Hoover,	Orrison,	Williams,
Colter,	Horwitz,	Pence,	Winans,
Cowan,	Hunter,	Plank,	Winters,
Crawford,	Kathe,	Reppert,	Woodworth,
Criswell,	Kennedy,	Rhulman,	Young—88.
of Coshocton,	Kessler,	Schaefer,	

Those who voted in the negative were: Messrs.

Agler,	Conover,	Jackson,	Reynolds,
Anderson,	Cooper,	Jenkins,	Robinson,
Appenzeller,	Criswell,	Kemerer,	Smith, of Morgan,
Bishop,	of Morrow,	King, of Franklin,	Stivers,
Bonnell,	Diser,	Plumb,	Tetlow,
Brown, of Union,	Gilson,	Quinlisk,	White,
Capelle,	Hastings,	Reid, of Fayette,	Wintermute—27.

The bill was passed.

The title was agreed to.

H. B. No. 11 — Mr. Mills, was taken up and read the second time.

Mr. Lowry moved that the further consideration of the bill be postponed until Thursday and that it be made the special order for 1:35 o'clock P. M. of that day.

The motion was agreed to and the bill was made a special order.

S. B. No. 11 — Mr. Haas, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Plumb, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 11** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 99, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Anderson,	Davis,	Kesaler,	Robinson,
Beatty,	Deaton,	Kilpatrick,	Schaefer,
Behne,	Detrick,	Kilrain,	Schweikert,
Beyer,	Dickson,	King,	Shanley,
Bigelow,	Diser,	of Ashtabula,	Siebert,
Bishop,	Donaldson,	King, of Franklin,	Smith, of Butler,
Black,	Doster,	Kramer,	Smith, of Morgan,
of Hamilton,	Duffey,	Lambert,	Snyder,
Black,	Ertel,	Leist,	of Hamilton,
of Wyandot,	Etling,	Lowry,	Snyder,
Boggs,	Fell,	Lustig,	of Pickaway,
Bonnell,	Fellinger,	McCormick,	Sweeney,
Bour,	Fulton,	McGuffey,	Terrell,
Brennan,	Gilson,	Mills,	Tetlow,
Brown,	Guthery,	Morris,	Venus,
of Ashland,	Hastings,	Mueller,	Vollmer,
Cameron,	Hite,	Murphy,	Walsh,
Carroll,	Hoaglin,	Nungesser,	Warnes,
Clark,	Hoffman,	Nye,	Welsh,
Colter,	Holl,	Orlikowski,	White,
Conover,	Hoover,	Orrison,	Williams,
Cowan,	Horwitz,	Pence,	Winans,
Crawford,	Hunter,	Plumb,	Wintermute,
Criswell,	Jackson,	Quinlisk,	Winters,
of Coshocton,	Kathe,	Reid, of Fayette,	Woodworth,
Criswell,	Kemerer,	Reynolds,	Young—99.
of Morrow,	Kennedy,	Rhulman,	

The bill was passed.

The title was agreed to.

H. B. No. 22 — Mr. Duffey, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Duffey moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 11, strike out the word "Each" and substitute in lieu thereof the following: "In addition to the salary allowed by section 2251, each".

The motion was agreed to, and Mr. Duffey was appointed such committee, and reported the bill amended as instructed.

Mr. Snyder, of Pickaway, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 12, strike out "Twenty" and substitute "Twenty-five".

By consent of the House, Mr. Snyder, of Pickaway, withdrew the amendment.

Mr. Snyder, of Pickaway, moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out "in" at the end of line 5.

In line 6, strike out quotation "Counties of 50 thousand population or more".

Strike out lines 11, 12, 13, 14 and 15.

The motion was agreed to, and Mr. Snyder, of Pickaway, was appointed such committee, and reported the bill amended as instructed.

Mr. Kramer moved to refer the bill to a select committee of one, with instructions to amend as follows:

In lines 52 and 53, strike out the following: "ten dollars per day for each day of such assignment, and"

The motion was disagreed to.

Mr. Fulton moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 10 change "three" to "two".

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Duffey, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 22** was engrossed at the clerk's desk and read the third time.

The question was "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 94, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cooper,	Holl,	Reppert,
Agler,	Cowan,	Hoover,	Rhulman,
Anderson,	Crawford,	Horwitz,	Robinson,
Barthelmeh,	Criswell,	Hunter,	Schaefer,
Beatty,	of Coshocton,	Jackson,	Schweikert,
Behne,	Criswell,	Kemerer,	Shanley,
Beyer,	of Morrow,	Kennedy,	Siebert,
Bishop,	Davis,	Kessler,	Smith, of Butler,
Black,	Deaton,	Kilpatrick,	Smith, of Morgan,
of Hamilton,	Detrick,	Kilrain,	Snyder,
Black,	Dickson,	King,	of Pickaway,
of Wvandot,	Diser,	of Ashtabula,	Sweeney,
Boggs,	Donaldson,	King, of Franklin,	Terrell,
Bonnell,	Doster,	Kramer,	Tetlow,
Bour,	Duffey,	Lambert,	Thatcher,
Brennan,	Ertel,	Leist,	Venus,
Brown,	Fell,	McCormick,	Vonderheide,
of Ashland,	Fellinger,	Mills,	Walsh,
Brown, of Union,	Foreman,	Murphy,	Warnes,
Cameron,	Freeman,	Nungesser,	White,
Capelle,	Fulton,	Nye,	Winans,
Carroll,	Guthery,	Orlikowski,	Wintermute,
Chapman,	Hastings,	Orrison,	Winters,
Clark,	Hite,	Plumb,	Woodworth,
Colter,	Hoffman,	Quinlisk,	Young—94.
Conover,			

Mr. Gilson voted in the negative.

The bill was passed.

The title was agreed to.

H. J. R. No. 4 — Mr. Terrell, was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 80, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Boggs,	Cameron,	Crawford,
Barthelmeh,	Bour,	Carroll,	Criswell,
Beatty,	Brennan,	Chapman,	of Coshocton,
Behne,	Brown,	Clark,	Davis,
Beyer,	of Ashland,	Colter,	Deaton,
Bishop,	Brown, of Union,	Cowan,	Detrick,

Those who voted in the affirmative were: Messrs. — Concluded.

Dickson,	Kennedy,	Plumb,	Terrell,
Donaldson,	Kilpatrick,	Quinlisk,	Tetlow,
Doster,	Kilrain,	Rhulman,	Thatcher,
Duffey,	King,	Robinson,	Thomas,
Ertel,	of Ashtabula,	Schaefer,	Venus,
Etling,	King, of Franklin,	Schweikert,	Vonderheide,
Fell,	Kramer,	Shanley,	Walsh,
Fellinger,	Lambert,	Siebert,	Warnes,
Foreman,	Leist,	Smith, of Butler,	Welsh,
Fulton,	Lowry,	Smith, of Morgan,	White,
Hastings,	Morris,	Snyder,	Williams,
Hoffman,	Mueller,	of Hamilton,	Winans,
Holl,	Nye,	Snyder,	Wintermute,
Horwitz,	Orlikowski,	of Pickaway,	Woodworth,
Kathe,	Orrison,	Sweeney,	Young—80.
Kemerer,			

Messrs. Bonnell, Hunter and Plank voted in the negative.

The resolution was adopted.

S. J. R. No. 4 — Mr. Weygandt, was taken up.

On motion of Mr. Warnes, said resolution was laid on the table.

S. J. R. No. 3 — Mr. Cunningham, was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 102, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Schweikert,
Anderson,	of Morrow,	Kilpatrick,	Shanley,
Appenzeller,	Davis,	Kilrain,	Siebert,
Barthelmeh,	Deaton,	King,	Smith, of Butler,
Beatty,	Detrick,	of Ashtabula,	Smith, of Morgan,
Behne,	Dickson,	King, of Franklin,	Snyder,
Beyer,	Diser,	Kramer,	of Hamilton,
Bishop,	Donaldson,	Lambert,	Snyder,
Black,	Doster,	Leist,	of Pickaway,
of Wyandot,	Duffey,	Lowry,	Sweeney,
Boggs,	Ertel,	McGuffey,	Terrell,
Bonnell,	Etling,	Mills,	Tetlow,
Bour,	Fell,	Morris,	Thatcher,
Brennan,	Fellinger,	Mueller,	Thomas,
Brown,	Foreman,	Murphy,	Venus,
of Ashland,	Fulton,	Nungesser,	Vollmer,
Brown, of Union,	Guthery,	Nye,	Vonderheide,
Cameron,	Hastings,	Orlikowski,	Walsh,
Capelle,	Hite,	Orrison,	Warnes,
Carroll,	Hoaglin,	Pence,	Welsh,
Chapman,	Hoffman,	Plank,	White,
Clark,	Holl,	Quinlisk,	Williams,
Colter,	Hoover,	Reid, of Fayette,	Winans,
Cooper,	Horwitz,	Reppert,	Wintermute,
Cowan,	Hunter,	Rhulman,	Winters,
Crawford,	Kathe,	Robinson,	Woodworth,
Criswell,	Kennedy,	Schaefer,	Young—102.
of Coshocton,			

The resolution was adopted.

H. J. R. No. 5 — Mr. Nye, was taken up.

On motion of Mr. Warnes, the resolution was laid on the table.

H. J. R. No. 6 — Mr. Carroll, was taken up.

The question was: "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 99, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Jackson,	Rhulman,
Agler,	of Coshocton,	Kathe,	Robinson,
Anderson,	Criswell,	Kessler,	Schaefer,
Barthelmeh,	of Morrow,	Kilpatrick,	Schweikert,
Beatty,	Davis,	King,	Shanley,
Behne,	Deaton,	of Ashtabula,	Siebert,
Beyer,	Detrick,	King, of Franklin,	Smith, of Butler.
Bigelow,	Dickson,	Kramer,	Smith, of Morgan
Bishop,	Diser,	Lambert,	Snyder,
Black,	Donaldson,	Leist,	of Hamilton,
of Wyandot,	Doster,	Lowry,	Snyder,
Boggs,	Duffey,	McCormick,	of Pickaway,
Bonnell,	Ertel,	McGuffey,	Sweeney,
Bour,	Etling,	Mills,	Terrell,
Brennan,	Fell,	Morris,	Tetlow,
Brown,	Fellinger,	Mueller,	Thatcher,
of Ashland,	Foreman,	Nungesser,	Venus,
Brown, of Union,	Fulton,	Nye,	Vollmer,
Cameron,	Guthery,	Orlikowski,	Walsh,
Carroll,	Hastings,	Orrison,	Welsh,
Chapman,	Hite,	Plank,	White,
Clark,	Hoaglin,	Plumb,	Williams,
Colter,	Hoffman,	Quinlisk,	Winans,
Conover,	Holl,	Reid, of Fayette,	Wintermute,
Cowan,	Horwitz,	Reppert,	Winters,
Crawford,	Hoover,	Reynolds,	Woodworth,
	Hunter,		Young—99.

Messrs. Gilson and vonder Heide voted in the negative.

The resolution was adopted.

The following protest was submitted and ordered entered on the journal:—

Mr. Speaker:

I desire to record my protest against the action of the House in laying the following resolution on the table without giving it consideration or giving me a chance to be heard thereon.

WHEREAS, The Constitution of the State of Ohio makes the Governor's message, and messages to this Special Session of the General Assembly, the basis of all laws passed by this body while in Special Session; and,

WHEREAS, A departure from the letter of said messages may invalidate and make null and void any law or laws passed by this General Assembly at this Special Session; and,

WHEREAS, Serious differences of opinion have arisen as to the scope of some of the recommendations of the Governor in his messages, in some cases such differences as will necessitate the redrafting and re-passage of some of the bills already passed by one House, and some of the legislation now pending before the House of Representatives; and,

WHEREAS, Such differences of opinion seem to arise from the fact that on some points the Governor's messages have been narrowed down so as to preclude action on any but one phase of the subjects recommended in said message, thereby taking away from this General Assembly its traditional discretionary power to determine the scope and nature of legislation enacted by it, and in some cases practically leaving it the option

of passing a law of a particular nature and scope, or of passing no law at all on that subject; and,

WHEREAS, It is impossible to enact laws without taking into consideration all of their different phases and effects; and,

WHEREAS, It was clearly not the intention of the people of this state when they adopted the constitution to take away from the General Assembly its discretion in determining the scope and nature of laws which it seeks to pass; therefore,

Resolved, That the General Assembly respectfully request the Governor of the State of Ohio to send it an entirely new message, embodying all the recommendations heretofore sent to this special session for its consideration, together with all such other legislation as he intends to recommend for consideration at this special session, said message to be couched in such broad and comprehensive language as will permit this body to take up the entire subject recommended and deal with it as this General Assembly may in its discretion think proper in the premises; and to set forth, as far as practicable, all the subjects to be recommended in one message, thereby avoiding the possibility of having numerous messages overlapping and contradicting each other; and be it further

Resolved, That a committee of six, three of whom shall be appointed from the membership of the House by the Speaker, and three of whom shall be appointed from the membership of the Senate by the President thereof, shall wait upon the Governor and apprise him of the passage of this resolution.

JAMES NYE.

Mr. Barthelmeh submitted the following report:

The standing committee on Public Schools, to which was referred **H. B. No. 15**—Mr. Rhulman, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 19, strike out the word "fifty" and in lieu thereof insert the word "fifty-five".

In line 20, strike out the word "sixty" and in lieu thereof insert the word "seventy".

GEO. M. MORRIS,
C. D. BROWN,
J. J. SHANLEY, SR.,
JOHN H. LOWRY,
GEO. M. HOAGLIN,

JOHN F. KRAMER,
GEO. S. CRAWFORD,
GUY DETRICK,
J. CHAS. CRISWELL,
FRED BARTHELMEH.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Kennedy submitted the following report:

The standing committee on Banks and Banking, to which was referred **H. B. No. 5**—Mr. Guthery, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

Strike out all after the enacting clause and in lieu thereof substitute the following:

"SECTION I. Wherever the term "state bank" is used in this act, the said term shall be held to include every corporation or association

having the power to receive, and receiving money on deposit, chartered or incorporated under any general or special law of Ohio, but shall not include building and loan associations; and wherever the term "Federal Reserve Act" is used in this act the same shall be held to mean the act of the 63rd Congress of the United States, entitled "An Act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," approved by the President of the United States on December 23rd, 1913."

"SECTION 2. Every state bank, in addition to the powers, rights and privileges possessed by it under the laws of Ohio shall have the right and power to become a member bank under the Federal Reserve Act upon the terms and conditions set forth in said Federal Reserve Act, or hereafter provided by law, in order to become a member bank as contemplated by said Federal Reserve Act. Every state bank which becomes a member bank shall have the right and power to do everything required of or granted by said Federal Reserve Act to member banks which are organized under state laws; and compliance by state banks with the reserve requirements of said Federal Reserve Act shall be accepted in lieu of the reserve requirements provided by the laws of Ohio. Nothing contained in this section of this act, shall in any way or manner affect or have reference to state banks which do not become member banks under said Federal Reserve Act."

"SECTION 3. Every state bank, and every national bank situated in Ohio, in addition to the powers possessed by it under the laws of Ohio, shall have the power to act as executor, trustee, or registrar of stocks and bonds, upon complying with all the requirements and conditions imposed by the laws of Ohio upon trust companies in the matter of the acceptance and execution of trusts; provided always that any such state bank shall first receive from the superintendent of banks, and any such national bank shall first receive from the Federal reserve board, a special permit to act in such capacity. A certified copy of such special permit either from the superintendent of banks or from the Federal reserve board, shall be filed with every court or public authority appointing such state bank or national bank to act in any trust capacity, at the time when such state bank or national bank qualifies therein; and the court making such appointment may, in its discretion, require bond from such state bank or national bank, or permit it to act without bond. Such state banks, and national banks which have complied with the provisions specified in this section, are hereby made eligible to such appointments in addition to the persons now by law designated as eligible; and wherever by law an oath is required by the person applying for such appointment, or in the discharge of his duties after such appointment, an oath made by the president, secretary, treasurer, trust officer or cashier of such state bank, or national bank, shall be sufficient."

R. R. KENNEDY,
JAMES R. CLARK,
GEORGE W. HOLL,
F. M. PLANK,

C. D. CONOVER,
WM. BROWN,
GEORGE DOSTER,
CULBERTSON J. SMITH.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Kilpatrick submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 1** — Mr. Mooney, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 4, after "on" insert "or before".

In line 4, after "state officer" insert "state institution,"

In line 5a, strike out "or institution"

In line 7, after "state officer" insert "state institution,"

In line 7a, strike out "or institution"

In line 8, strike out "tuition,"

In line 10, after the period (.) insert the following: "Where tuitions and fees are paid to the officer or officers of any college, normal school or university receiving state aid, said officer or officers shall retain a sufficient amount of said tuition fund and fees to enable said officer or officers to make refunds of tuition and fees incident to conducting of said tuition fund and fees. At the end of each term of any college, normal school or university receiving state aid the officer or officers having in charge said tuition fund and fees shall make and file with the auditor of state an itemized statement of all tuitions and fees received and disposition of the same."

In line 15, after "state officer" insert "state institution,"

In line 15a, strike out "or institution"

In line 16, strike out "tuition,"

In line 21, after the first comma (,) insert "state institution,"

In line 23, strike out the second comma (,) and in lieu thereof insert "or" Strike out "or institution"

In line 25, after the period (.) strike out all of the section and in lieu thereof insert the following: "Any state officer, state institution, board or commission which fails, refuses or neglects to comply with the provisions of this act shall be prima facie guilty of malfeasance in office."

W. B. KILPATRICK,
STEPHEN M. YOUNG,
PERCY TETLOW,
S. H. WILLIAMS,
OSCAR E. DISER.

JOHN F. KRAMER,
ALTON H. ETLING,
THORNTON R. SNYDER
CULBERTSON J. SMITH,
V. J. VONDER HEIDE.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Kilpatrick submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 5** — Mr. Herner, having had the same under consideration, reports it back and recommends its passage.

W. B. KILPATRICK,
STEPHEN M. YOUNG,
V. J. VONDER HEIDE,
PERCY TETLOW,
JOHN F. KRAMER,

A. H. ETLING,
OSCAR E. DISER,
C. A. REID,
S. H. WILLIAMS.

The report was agreed to.

The bill was ordered to be read the second time in its regular order Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **H. B. No. 14**—Mr. Morris, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 3, after "7837," insert "7838,".

In line 5, strike out "7807-6" and insert "7807-7".

In line 7, between the words "of" and "examiners", insert the word "school".

In line 18, after the word "such" insert the word "persons".

In line 22, strike out the word "must" and insert in lieu thereof the word "shall".

In line 29, after the word "institution", insert the words "*of college or normal school rank*".

In line 33, after the word "institution", insert the words "*of college or normal school rank*".

In line 35, change the period (.) to a comma (,) and add the following: "not less than one-fourth of which work shall be in observation and practice teaching."

In line 36, place a comma (,) after the numeral "7807-1"

In line 37, strike out the words "normal school" and insert in lieu thereof the words "recognized institution for the training of teachers of college or normal school rank"

In line 38, strike out "60" and insert in lieu thereof "fifty"

In line 41, strike out the comma (,) at the end of the line.

In line 42, strike out the words "approved by the superintendent of public instruction."

In line 43, change the article "the" to "a"

In line 47, change numeral "three" to "four"

In line 47, after the word "state" change period (.) to semi-colon (;) and add the following: "provided that such institution has been approved by the superintendent of public instruction."

In line 49, strike out the words "approved by the superintendent of public instruction,"

In line 50, insert an apostrophe (') after the word "years"

In line 51, strike out the comma (,) after "school"

In line 54, change the word "three" to "four"

In line 55, after the word "state" change period (.) to semicolon (;) and add the following: "provided that such institution has been approved by the superintendent of public instruction."

In line 57, strike out the words "approved by superintendent of public instruction,"

In line 61, change the word "possess" to "possesses"

In line 65, change the word "three" to "four"

In line 65, insert an apostrophe (') after the word "years"

In line 65, after the word "state" change period (.) to semicolon (;) and add the following: "provided that such institution has been approved by the superintendent of public instruction."

In line 67, after the word "issue" insert the words "without examination"

In line 67, between the words "a" and "provisional", insert the word "state".

In line 69, after the word "teaching", change period (.) to comma (,) and add the following: "after receiving such provisional certificate."

Between lines 69 and 70 insert the following section:—

"Sec. 7807-7. The state board of school examiners shall issue without examination, a state life high school certificate to the holder of a degree from any normal school, teachers' college, or university that has been approved by the superintendent of public instruction, upon satisfactory evidence that the holder thereof has completed at least fifty months of successful teaching."

In line 79, change the word "must" to "shall".

In line 82, strike out the word "person" and insert in lieu thereof the word "teacher".

In line 83, strike out the word "person" and insert in lieu thereof the word "teacher"

In line 85, after the word "schools" insert the words "of the county school district"

In line 86, strike out the word "be" before the word "appointed"

In line 97, change the word "appraised" to "apprised"

In line 99, after the word "such" insert the words "appointive school"

In line 99, change the word "examiner" to "examiners"

In line 127, strike out the words "each month"

In line 128, strike all the line except the word "unless" and insert in lieu thereof the following: "September, October, January, March, April, May, and the last Friday of June and August of each year,"

In line 129, strike out the word "Saturday" and insert in lieu thereof the words "any such day"

In line 129, change the word "must" to "shall"

In line 130, strike out the word "Saturday"

In lines 129 and 130, strike out the word "succeeding" and insert in lieu thereof the following: "corresponding day of the succeeding week,"

In line 143, strike out "applicant" and insert "applicant's".

In line 159, strike out the word "quarter" and insert in lieu thereof the word "month".

In line 163, after the word "one" strike out the comma (,) and insert the word "year".

In line 163, after the word "three" strike out the comma (,).

In line 168, change the word "certificate" to "certificates".

In line 168, after the word "one" strike out the comma (,) and insert the word "year".

In line 168, after the word "three" strike out the comma (,).

In line 168, at the end of the line add the word "respectively".

In line 170, after the word "five-" insert the word "year".

In line 176, after the word "two-", insert the word "year".

In line 178, add an apostrophe (') after the word "years".

In line 180, strike out the word "and" and insert in lieu thereof the words "year or a".

In line 194, between the words "for" and "one", insert "a"

In line 194, between the words "one" and "or", insert the word "year".

In line 195, before the word "three", insert "a".

In line 195, change the word "certificates" to "certificate".

In line 199, between the words "for" and "one", insert "a".

In line 199, strike out the word "and" and insert in lieu thereof the words "year or a".

In lines 199 and 200, strike out the word "certificates" and insert the word "certificate".

In line 213, between the words "for" and "one", insert "a".

In line 213, at the end of the line, strike out the word "and", and insert in lieu thereof the words "year or a".

In line 214, change the word "certificates" to "certificate".

In line 223, before the word "board" insert the word "county"

In line 223, after the word "board" insert the words "of school examiners"

In line 245, after the word "branches" insert the words "or more"

In line 261, after the word "valid" insert the words "for one year"

In lines 265 and 266, strike out the words "Such emergency certificates shall be good for one year."

In line 267, between the words "of" and "examiners" insert the word "school"

Between lines 304 and 305, insert the following:

"Sec. 7838. There shall be a city board of school examiners for *in the day schools of such city, to be appointed by the city board of* * * * *such district. Such board shall consist of the city superintendent of schools and two other competent teachers serving full time in the day schools of such city, to be appointed by the city board of education. The term of office of such examiners shall be* * * * * *two years each; * * * and shall expire on the thirty-first day of* August * * *."

In line 314, after the word "one" strike out the comma (,) and insert the word "year"

In line 316, after the word "one" insert the word "year"

In line 319, after the word "five" insert the word "year"

In line 325, after the word "two" insert the word "year"

In line 327, strike out the word "county" and insert in lieu thereof the word "city"

In line 329, after the asterisks insert the words "county and"

In line 369, after the figures "7837," insert the figures "7838,"

GEO. M. MORRIS,
GEO. M. HOAGLIN,
JOHN H. LOWRY,
J. V. WINANS,
GEO. S. CRAWFORD,
JOHN F. KRAMER,

GUY DETRICK,
J. J. SHANLEY, SR.,
VAN S. DEATON,
C. D. BROWN,
G. G. O. PENCE.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Bour submitted the following report:

The standing committee on Public Buildings and Lands, to which was referred **S. B. No. 13**—Mr. Weygandt, having had the same under consideration, reports it back and recommends its passage:

LAWRENCE BRENNAN,
HARRY F. VOLLMER,
W. T. COLTER,
W. M. BROWN,

R. R. REYNOLDS,
W. C. MCGUFFEY,
R. R. BOUR.

The report was agreed to.

The bill was ordered to be read the second time in its regular order.

Mr. Bour submitted the following report:

The standing committee on Public Buildings and Lands, to which was referred **S. B. No. 16** — Mr. Zmunt, having had the same under consideration, reports it back and recommends its passage:

LAWRENCE BRENNAN,	R. R. REYNOLDS,
HARRY F. VOLLMER,	W. C. MCGUFFEY,
W. T. COLTER,	R. R. BOUR.
W. M. BROWN,	

The report was agreed to.

The bill was ordered to be read the second time in its regular order.

Mr. Ertel submitted the following report:

The standing committee on Supplies and Expenditures, to which was referred **H. R. No. 7** — Mr. Ertel, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended: Add to the resolution the following:

Remington Typewriter Co., rentals	\$ 6.50
West Disinfecting Co., soap, etc.....	15.80
A. H. Smythe, supplies.....	27.50
The MacDonald Stationery Company, supplies.....	7.25
Alex. D. Kaetzel, supplies.....	4.92
George F. Jelleff, labor and supplies.....	14.95

EARL E. ERTEL,	M. L. SWEENEY,
JOHN C. HOFFMAN,	WALTER GARFIELD AGLER,
SMITH L. WELSH,	LOUIS H. CAPELLE,
W. M. BROWN,	JAMES A. FREEMAN.

The report was agreed to.

Mr. Ertel moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 104, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bour,	Criswell,	Fellinger,
Agler,	Brennan,	of Coshocton,	Foreman,
Anderson,	Brown, of Union,	Davis,	Freeman,
Appenzeller,	Cameron,	Deaton,	Fulton,
Barthelmeh,	Capelle,	Detrick,	Gilson,
Beatty,	Carroll,	Dickson,	Guthery,
Behne,	Chapman,	Diser,	Hastings,
Beyer,	Clark,	Donaldson,	Hite,
Bigelow,	Colter,	Doster,	Hoaglin,
Bishop,	Cooper,	Duffey,	Hoffman,
Black,	Cowan,	Ertel,	Holl,
of Wyandot,	Crawford,	Etling,	Hoover,
Bonnell,		Fell,	Horwitz,

Those who voted in the affirmative were: Messrs. — Concluded.

Hunter,	McGuffey,	Robinson,	Thatcher,
Kathe,	Morris,	Schaefer,	Venus,
Kemerer,	Mueller,	Schweikert,	Vollmer,
Kennedy,	Murphy,	Shanley,	Vonderheide,
Kessler,	Nungesser,	Siebert,	Walsh,
Kilrain,	Orlikowski,	Smith, of Butler,	Warnes,
King,	Orrison,	Smith, of Morgan,	Welsh,
of Ashtabula,	Pence,	Snyder,	White,
King, of Franklin,	Plank,	of Hamilton,	Williams,
Kramer,	Plumb,	Snyder,	Winans,
Lambert,	Quinlisk,	of Pickaway,	Wintermute,
Leist,	Reid, of Fayette,	Sweeney,	Winters,
Lowry,	Reppert,	Terrell,	Woodworth,
Lustig,	Reynolds,	Tetlow,	Young—104.
McCormick,	Rhulman,		

The resolution was adopted.

Bills were referred as follows:

H. B. No. 28 — Mr. Lambert, to the committee on Judiciary.

The following bill was introduced and read the first time:

H. B. No. 29 — Mr. Woodworth.

To amend section 7713 and 7714 of the General Code, relating to the county uniformity of text books.

Mr. Woodworth moved that the rule requiring bills to be printed and distributed for the use of the members before the reference thereof be suspended and the bill be referred at once to committee.

The motion was agreed to and H. B. No. 29 was referred at once to the committee on Public Schools.

Mr. King, of Franklin, offered **H. R. No. 10**.

WHEREAS, Under the proclamation of His Excellency, the Governor of Ohio, convening the 80th General Assembly in extraordinary session, "harmony as between public desire and legislative enactment" was set forth as the general objective; and

WHEREAS, In that call certain changes were requested in our primary and general election laws; and

WHEREAS, The absolute and final authority now vested in our election officials affords opportunities for the grossest sort of political jugglery, to the end that the election law of Ohio is not subversive to the will of the electors; and

WHEREAS, The Speaker of the House of Representatives has held that amendments to sections 5006 and 5018 and a supplementary amendment to section 5084, providing that the name of any person shall appear as the candidate of each party or petition by which he has been regularly nominated, and that the aggregate of all votes cast for such candidate shall be counted in ascertaining his total vote and providing further for an appeal from the decision of the election officials to the courts of common pleas, cannot be considered as within the call of the Governor; therefore be it

Resolved by the House of Representatives, That the Governor be and he is hereby respectfully requested to transmit to the General Assembly, by special message, authority for the consideration of the above mentioned matters.

Mr. vonder Heide raised the point of order that the matter contained in the resolution did not come within the purview of the call of the Governor.

The Speaker announced that he would take the matter under advisement and the resolution was laid over under the rule.

Mr. Ertel offered **H. R. No. 11.**

Resolved, That a committee of three be appointed to adjust the mileage of the members of the House.

Mr. Ertel moved that the rule requiring resolutions to lie over one day before consideration, be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was: "Shall the resolution be adopted?"

The resolution was adopted, and under the provisions of the resolution the speaker named as the committee: Messrs. Ertel, Criswell of Coshocton, and Davis.

Mr. Terrell offered **H. J. R. No. 8.**

Relative to printing copies of the report of the Ohio state school survey commission to the governor of Ohio.

The resolution was laid over under the rule.

Mr. Anderson presented the petition of H. L. Eckhardt and 79 other citizens of Greene county, endorsing a substitute for county supervision of schools, known as the Greene County Plan, which was referred to the committee on Public Schools.

Mr. Conover presented the petition of E. M. Baker and 15 other citizens of Champaign county protesting against any change in our present school system, which was referred to the committee on Public Schools.

Mr. Conover presented the petition of A. J. Underwood and 16 other citizens of School District No. 2, Concord township, Champaign county, protesting against any legislation that would in any way invoke new obligations or conditions in our present school system, which was referred to the committee on Public Schools.

The speaker granted leave of absence for the remainder of the week to Mr. Thomas, of Wood county.

Herman Schulz, telephone attendant, Robert Vogel, cloak room attendant, Alexander Rosenstein, committee room attendant, and Elijah Dodd, porter, having resigned prior to the commencement of this session, the sergeant-at-arms announced that to fill the vacancies created, he, on January 19th, had appointed under **H. R. No. 4** of the Regular Session the following persons:

J. P. Anderson, telephone attendant.

Elmer D. Feltus, cloak room attendant.

Leonard Cohen, committee room attendant.

Jacob Lang, porter.

On motion of Mr. Lowry, the House adjourned at 5:15 o'clock P. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,
Thursday, January 29, 1914, 1:30 o'clock P. M.

The House met pursuant to adjournment.
Prayer was offered by the Reverend D. J. Starr, of Columbus.
The journal of yesterday was read and approved.

1:35 o'clock P. M.

Attention of the House was called to the special order for this hour, being consideration of **H. B. No. 11** — Mr. Mills.

Mr. Lowry moved that the resignation of Honorable A. Ross Read, of Summit county, be accepted.

The motion was agreed to.

The speaker announced that, after having had under advisement the point of order raised by Mr. vonder Heide upon the introduction of **H. R. No. 10** — Mr. King, of Franklin, he would sustain the point of order, and declared the resolution out of order.

H. B. No. 15 — Mr. Rhulman, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Smith, of Morgan, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 20 strike out the word "seventy" and in lieu thereof insert the word "seventy-five"

The motion was disagreed to.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Rhulman, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 15** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 88, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	Hoover,	Plank,
Agler,	Criswell,	Horwitz,	Plumb,
Anderson,	of Coshocton.	Hunter,	Quinlisk,
Barthelmeh,		Jackson,	Reid, of Fayette,
Beatty,	Criswell,	Kathe,	Reighard,
Beyer,	of Morrow,	Kessler,	Reppert,
Black,		Kilrain,	Reynolds,
of Wyandot,	Davis,	King, of Franklin,	Rhulman,
Boggs,	Deaton,	Kramer,	Robinson,
Bonnell,	Detrick,	Lambert,	Schaefer,
Bour,	Dickson,	Leist,	Schweikert,
Brennan,	Diser,	Lowry,	Shanley,
Brown,	Doster,	Lustig,	Siebert,
of Ashland,	Duffey,	Mills,	Smith, of Butler,
Cameron,	Etling,	Morris,	Smith, of Morgan,
Capelle,	Fell,	Mueller,	Snyder,
Carroll,	Foreman,	Nye,	of Hamilton,
Chapman,	Freeman,	Orrison,	Snyder,
Colter,	Fulton,	Orlikowski,	of Pickaway,
Conover,	Hoffman,	Pence,	Stivers,
	Holl,		

Those who voted in the affirmative were: Messrs — Concluded.

Sweeney,
Terrell,
Tetlow,
Thatcher,

Venus,
Vollmer,
vonder Heide,
Warnes,

Welsh,
Williams,
Winans,
Wintermute,

Winters,
Woodworth,
Young—88.

Messrs. Gilson and Kemerer voted in the negative.

The bill was passed.

The title was agreed to.

H. B. No. 5 — Mr. Guthery, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Kennedy moved that the further consideration of the bill be postponed until next Tuesday and that it be made the special order for 1:35 o'clock P. M. of that day.

The motion was disagreed to.

Mr. Jackson moved to refer the bill to a select committee of one, with instructions to amend as follows: In Sec. 3, line 27, after the first comma, insert the word "administrator,".

Mr. Black, of Hamilton, moved to amend the motion as follows:

Add to amendment the words "upon the consent of all parties in interest of capacity to contract".

The question was, "Shall the amendment to the motion be agreed to?"

The amendment was disagreed to.

The question recurred, "Shall the motion of Mr. Jackson be agreed to?"

The motion was disagreed to.

The question recurred, "Shall the bill be read the third time?"

Mr. Terrell moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all after line 24.

The motion was agreed to, and Mr. Terrell was appointed such committee, and reported the bill amended as instructed.

Mr. vonder Heide moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 24 insert:

"SECTION .3. No bank in the state of Ohio shall act as an executor or administrator."

The question was, "Shall the motion of Mr. vonder Heide be agreed to?"

The yeas and nays were demanded, taken and resulted — yeas 32, nays 61, as follows:

Those who voted in the affirmative were: Messrs.

Beatty,
Black,
of Wyandot,
Bour,
Brennan,
Conover,
Deaton,
Diser,
Donaldson,

Doster,
Etling,
Fell,
Freeman,
Hoffman,
Kilpatrick,
Kilrain,
King, of Franklin,
Lustig;

Mills,
Mueller,
Plumb,
Schaefer,
Schweikert,
Shanley,
Snyder,
of Pickaway,

Stivers,
Sweeney,
Terrell,
Vollmer,
vonder Heide,
Walsh,
Warnes,
Young—32.

Those who voted in the negative were: Messrs.

Acker,	Criswell,	Jenkins,	Quinlisk,
Anderson,	of Coshocton,	Kathe,	Reid, of Fayette,
Barthelmeh,	Criswell,	Kemerer,	Reighard,
Beyer,	of Morrow,	Kennedy,	Reppert,
Bishop,	Davis,	Kessler,	Reynolds,
Black,	Detrick,	King,	Robinson,
of Hamilton,	Dickson,	of Ashtabula,	Smith, of Morgan,
Boggs,	Foreman,	Kramer,	Tetlow,
Bonnell,	Gilson,	Lambert,	Thatcher,
Brown,	Guthery,	Leist,	Venus,
of Ashland,	Hastings,	Lowry,	Vollmer,
Brown, of Union,	Holl,	McGuffey,	White,
Cameron,	Hoover,	Morris,	Williams,
Capelle,	Horwitz,	Orlikowski,	Winans,
Carroll,	Hunter,	Pence,	Wintermute,
Chapman,	Jackson,	Plank,	Winters,
Crawford,			Woodworth—61.

The motion was disagreed to.

Mr. Black, of Hamilton, moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 24 insert the following:

SECTION 3. That section 9757 be amended to read as follows: .

Sec. 9757. A commercial bank may receive deposits on which interest may be allowed. All deposits in such banks shall be payable on demand without notice except where the contract of deposit otherwise provide. *All deposits that are subject to a contract providing in any manner that payment shall not be made in a less time than at least thirty days are time deposits. All other deposits are demand deposits.* A commercial bank also may loan money on personal security, discount, buy, sell or assign promissory notes, drafts, bills of exchange and other evidences of debt, and buy and sell exchange, coin and bullion. *Any such bank having the capital required by section 9704-1 of the General Code may accept bills of exchange drawn upon it and growing out of transactions involving the importation or exportation of goods having not more than six months sight to run, but no such bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half its paid up capital and surplus.*

Mr. Lustig raised a point of order that the matter contained did not come within the purview of the call of the Governor.

Mr. Diser raised a point of order that the amendment was not germane to the bill.

The speaker sustained Mr. Diser's point of order and declared the amendment out of order.

Mr. Snyder, of Pickaway, moved that the bill be recommitted to the committee on Banks and Banking.

Mr. Young demanded the previous question, which was duly seconded. The question was: "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was: "Shall **H. B. No. 5**—Mr. Guthery, be re-committed to the committee on Banks and Banking?"

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kennedy, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 5** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 82, nays 11, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Rhulman,
Agler,	of Morrow,	of Ashtabula,	Robinson,
Anderson,	Dickson,	King, of Franklin,	Schaefer,
Barthelmeh,	Diser,	Kramer,	Schweikert,
Beatty,	Donaldson,	Lambert,	Shanley,
Behne,	Doster,	Leist,	Siebert,
Beyer,	Eting,	Lowry,	Smith, of Morgan,
Bishop,	Foreman,	Lustig,	Snyder,
Black,	Freeman,	McCormick,	of Hamilton,
of Wyandot,	Fulton,	McGuffey,	Snyder,
Bonnell,	Guthery,	Mills,	of Pickaway,
Bour,	Hoaglin,	Morris,	Stivers,
Brennan,	Hoffman,	Mueller,	Sweeney,
Brown,	Holl,	Nungesser,	Terrell,
of Ashland,	Horwitz,	Nye,	Thatcher,
Brown, of Union,	Hunter,	Orlikowski,	Venus,
Cameron,	Jackson,	Orrison,	vonder Heide,
Carroll,	Kathe,	Pence,	Warnes,
Chapman,	Kennedy,	Plank,	White,
Clark,	Kessler,	Plumb,	Wintermute,
Colter,	Kilpatrick,	Reighard,	Woodworth,
Criswell,	Kilrain,	Reynolds,	Young—82.
of Coshocton,			

Those who voted in the negative were: Messrs.

Black,	Capelle,	Hastings,	Williams,
of Hamilton,	Conover,	Hoover,	Winans,
Boggs,	Davis,	Kemerer,	Winters—11.

The bill was passed.

The title was agreed to.

By unanimous consent, Mr. Welsh submitted the following report:

The committee of conference, to which were referred the matters of difference between the two houses on H. B. No. 2 — Mr. Welsh, having had the same under consideration does recommend to the respective houses as follows:

In line 10 of the bill as passed by the House strike out "2000" and insert "800."

In line 22 of the bill as passed by the Senate strike out "200" and insert "400."

In line 31 of the bill as passed by the Senate strike out "50" and insert "100."

In line 34 of the bill as passed by the Senate strike out "50" and insert "200."

After the period at the end of line 34 insert the following:

"All maps to be delivered to the members of the General Assembly on request to the Secretary of State."

SMITH L. WELSH,
D. M. CRISWELL,
JOHN COWAN,

Managers on the part of the House of Representatives.

J. B. DOLLISON,
WILLIAM F. POTTING,
JNO. L. McDERMOTT,

Managers on the part of the Senate.

The question was: "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken, and resulted — yeas 106, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kathe,	Reynolds,
Agler,	of Coshocton,	Kennedy,	Rhulman,
Anderson,	Criswell,	Kessler,	Robinson,
Barthelmeh,	of Morrow,	Kilpatrick,	Schaefer,
Beatty,	Davis,	Kilrain,	Schweikert,
Behne,	Deaton,	King,	Shanley,
Beyer,	Detrick,	of Ashtabula,	Siebert,
Bishop,	Dickson,	King, of Franklin,	Smith, of Butler,
Black,	Diser,	Kramer,	Smith, of Morgan,
of Hamilton,	Donaldson,	Lambert,	Snyder,
Black,	Doster,	Leist,	of Hamilton,
of Wyandot,	Duffey,	Lowry,	Snyder,
Boggs,	Ertel,	Lustig,	of Pickaway,
Bonnell,	Etling,	McCormick,	Stivers,
Bour,	Fell,	McGuffey,	Sweeney,
Brennan,	Foreman,	Mills,	Thomas,
Brown,	Freeman,	Morris,	Venus,
of Ashland,	Gilson,	Mueller,	Vollmer,
Brown, of Union,	Guthery,	Murphy,	vonder Heide,
Cameron,	Hastings,	Nungesser,	Walsh,
Capelle,	Hite,	Orlikowski,	Warnes,
Carroll,	Hoffman,	Orrison,	Welsh,
Chapman,	Holl,	Pence,	White,
Clark,	Hoover,	Plank,	Williams,
Colter,	Horwitz,	Plumb,	Winans,
Conover,	Hunter,	Quinlisk,	Wintermute,
Cowan,	Jackson,	Reid, of Fayette,	Winters,
Crawford,	Jenkins,	Reighard,	Woodworth,
		Reppert,	Young—106.

Mr. Kemerer voted in the negative.

The report of the committee of conference was agreed to.

S. B. No. 5—Mr. Herner, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 5** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 83, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Schaefer,
Anderson,	of Morrow,	Kilpatrick,	Shanley,
Barthelmeh,	Deaton,	Kilrain,	Siebert,
Behne,	Detrick,	King,	Smith, of Morgan,
Beyer,	Dickson,	of Ashtabula,	Snyder,
Bishop,	Diser,	King, of Franklin,	of Hamilton,
Black,	Donaldson,	Kramer,	Snyder,
of Hamilton,	Doster,	Leist,	of Pickaway,
Black,	Ertel,	Lowry,	Sweeney,
of Wyandot.	Etling,	McCormick,	Terrell,
Boggs,	Foreman,	Morris,	Tetlow,
Bonnell,	Freeman,	Murphy,	vonder Heide,
Bour,	Fulton,	Nungesser,	Thatcher,
Brennan,	Hastings,	Orlikowski,	Vollmer,
Brown,	Hoaglin,	Orrison,	Walsh,
of Ashland,	Hoffman,	Plank,	Warnes,
Brown, of Union,	Holl,	Plumb,	Williams,
Cameron,	Hoover,	Quinlisk,	Winans,
Chapman,	Horwitz,	Reid, of Fayette,	Wintermute,
Colter,	Hunter,	Reighard,	Winters,
Crawford,	Jackson,	Reynolds,	Woodworth,
Criswell,	Kathe,	Rhulman,	Young—83
of Coshocton,	Kemerer,	Robinson,	

The bill was passed.

The title was agreed to.

S. B. No. 1 — Mr. Mooney, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. vonder Heide moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out in line 35, the words "Any state officers" and the (,) comma. Strike out all of lines 36 and 37.

The motion was agreed to, and Mr. vonder Heide was appointed such committee, and reported the bill amended as instructed.

Mr. Terrell moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 4 strike out "or before".

The motion was disagreed to.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 1** was engrossed at the clerk's desk and read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 89, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bishop,	Brennan,	Capelle,
Anderson,	Black,	Brown,	Carroll,
Barthelmeh,	of Wyandot.	of Ashland,	Colter,
Behne,	Bonnell,	Brown, of Union,	Conover,
Beyer,	Bour,	Cameron,	Cowan,

Those who voted in the affirmative were: Messrs. — Concluded.

Crawford,	Hoover,	Mills,	Siebert,
Criswell,	Horwitz,	Morris,	Smith, of Morgan,
of Coshocton,	Hunter,	Mueller,	Snyder,
Criswell,	Jackson,	Nungesser,	of Hamilton,
of Morrow,	Jenkins,	Nye,	Snyder,
Davis,	Kathe,	Orlikowski,	of Pickaway,
Deaton,	Kemerer,	Orrison,	Sweeney,
Detrick,	Kessler,	Pence,	Terrell,
Dickson,	Kilpatrick,	Plank,	Tetlow,
Diser,	Kilrain,	Plumb,	Thatcher,
Doster,	King,	Quinlisk,	Venus,
Etling,	of Ashtabula,	Reid, of Fayette,	vonder Heide,
Foreman,	King, of Franklin,	Reighard,	Walsh,
Freeman,	Kramer,	Reynolds,	Williams,
Fulton,	Lambert,	Rhulman,	Winans,
Gilson,	Leist,	Robinson,	Wintermute,
Hastings,	Lowry,	Schaefer,	Winters,
Hoffman,	McCormick,	Schweikert,	Woodworth,
Holl,	McGuffey,	Shanley,	Young—89.

The bill was passed.

The title was agreed to.

S. B. No. 16 — Mr. Zmunt, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Brennan, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 16** was read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 94, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Schaefer,
Barthelmeh,	of Morrow,	of Ashtabula,	Schweikert,
Beatty,	Davis,	King, of Franklin,	Shanley,
Behne,	Deaton,	Kramer,	Siebert,
Beyer,	Detrick,	Lambert,	Smith, of Morgan,
Bishop,	Dickson,	Leist,	Snyder,
Black,	Diser,	Lowry,	of Hamilton,
of Hamilton,	Doster,	Lustig,	Snyder,
Black,	Etling,	McCormick,	of Pickaway,
of Wyandot,	Foreman,	McGuffey,	Sweeney,
Boggs,	Freeman,	Mills,	Terrell,
Bonnell,	Fulton,	Morris,	Tetlow,
Bour,	Gilson,	Mueller,	Thatcher,
Brennan,	Hastings,	Nungesser,	Venus,
Brown,	Hite,	Nye,	Vollmer,
of Ashland,	Hoffman,	Orlikowski,	vonder Heide,
Cameron,	Holl,	Orrison,	Walsh,
Capelle,	Hoover,	Pence,	Warnes,
Carroll,	Horwitz,	Plank,	White,
Chapman,	Hunter,	Plumb,	Williams,
Colter,	Jackson,	Quinlisk,	Winans,
Conover,	Kathe,	Reid, of Fayette,	Wintermute,
Cowan,	Kemerer,	Reighard,	Winters,
Crawford,	Kessler,	Reynolds,	Woodworth,
Criswell,	Kilrain,	Rhulman,	Young—94.
of Coshocton,		Robinson,	

The bill was passed.

The title was agreed to.

Amended H. B. No. 14 — Mr. Morris, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Morris moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 28, before and after "1915", insert comma.

In line 32, before and after "1920", insert comma.

The motion was agreed to, and Mr. Morris was appointed such committee, and reported the bill amended as instructed.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Morris, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and amended **H. B. No. 14** was engrossed at the clerk's desk and read the third time.

The question was: "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 82, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Rhulman,
Anderson,	of Morrow,	of Ashtabula,	Robinson,
Barthelmeh,	Davis,	King, of Franklin,	Schaefer,
Behne,	Deaton,	Kramer,	Schweikert,
Beyer,	Detrick,	Lambert,	Shanley,
Black,	Dickson,	Leist,	Siebert,
of Hamilton,	Doster,	Lowry,	Smith, of Morgan,
Black,	Etling,	McCormick,	Snyder,
of Wyandot,	Foreman,	McGuffey,	of Hamilton,
Boggs,	Freeman,	Mills,	Snyder,
Bonnell,	Hastings,	Morris,	of Pickaway,
Bour,	Hite,	Mueller,	Terrell,
Brennan,	Hoaglin,	Murphy,	Tetlow,
Brown,	Holl,	Nungesser,	Thatcher,
of Ashland,	Hoover,	Nye,	Venus,
Cameron,	Horwitz,	Orlikowski,	Walsh,
Capelle,	Hunter,	Orrison,	White,
Carroll,	Jenkins,	Pence,	Williams,
Chapman,	Kathe,	Plank,	Winans,
Colter,	Kessler,	Plumb,	Wintermute,
Crawford,	Kilpatrick,	Quinlisk,	Winters,
Criswell,	Kilrain,	Reighard,	Woodworth,
of Coshocton,			Young—82.

Mr. Kemerer and Mr. Gilson voted in the negative.

The bill was passed.

The title was agreed to.

S. B. No. 13 — Mr. Weygandt, was taken up.

On motion of Mr. Lowry, said bill was referred to the committee on Public Schools.

H. J. R. No. 8 — Mr. Terrell, was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 62, nays 4, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	King,	Smith, of Morgan,
Appenzeller,	Deaton,	of Ashtabula,	Snyder,
Behne,	Detrick,	Lambert,	of Hamilton,
Beyer,	Dickson,	Leist,	Snyder,
Black,	Diser,	Lowry,	of Pickaway,
of Wyandot,	Doster,	Murphy,	Sweeney,
Bonnell,	Etling,	Nungesser,	Tetlow,
Bour,	Foreman,	Nye,	Thatcher,
Brennan,	Hastings,	Orlikowski,	Venus,
Brown,	Hite,	Orrison,	Vollmer,
of Ashland,	Hoaglin,	Pence,	Walsh,
Carroll,	Hoover,	Quinlisk,	Warnes,
Colter,	Horwitz,	Reynolds,	White,
Crawford,	Kathe,	Rhulman,	Wintermute,
Criswell,	Kemerer,	Schaefer,	Winters,
of Coshocton,	Kilpatrick,	Shanley,	Woodworth,
Criswell,	Kilrain,	Siebert,	Young—62.
of Morrow,			

Messrs. Black, of Hamilton, Freeman, Hunter and Reighard voted in the negative.

The resolution was adopted.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bills in which the concurrence of the House of Representatives is requested:

Substitute S. B. No. 6—Mr. Weygandt.

To amend sections 5175-29c, 5175-29d, 5175-29e and 5175-29f of the General Code and to enact supplemental sections 5175-29g to 5175-29q inclusive, providing safeguards in connection with the initiative, supplementary and referendum petitions.

S. B. No. 3—Mr. Green.

To regulate the weighing of coal at the mine.

Attest:

W. V. GOSHORN,
Clerk.

Said bills were read the first time and referred as follows:

Sub. S. B. No. 6—Mr. Weygandt. To the committee on Judiciary.

S. B. No. 3—Mr. Green. To the committee on Mines and Mining.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 8—Mr. Cahill.

To amend sections 7661-1, 7661-2, 7761-3, 7761-4, 7761-5 and 7761-6, and to repeal sections 7761-7 and 7761-8 of the General Code, relating to the teaching of agriculture in the public schools of Ohio.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time and referred to the committee on Public Schools.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 9 — Mr. Hudson.

To amend sections 7658, 7747, 7748 and 7749 of the General Code. and to supplement section 7655 by the enactment of additional sections 7655-1, 7655-2, 7655-3, 7655-4, 7655-5, 7655-6, 7655-7 and 7655-8 of the General Code, relating to the standardization of schools.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time and referred to the committee on Public Schools.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 8 — Mr. Fellingner.

To make further provision for collecting, installing and maintaining an exhibit of the products and resources of the state of Ohio at the Panama-Pacific International Exposition in 1915 and to make an appropriation therefor.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the President of the Senate has appointed on a committee of conference on the differences between the two houses on **H. B. No. 2** — Mr. Welsh: Mr. Dollison, Mr. McDermott, Mr. Potting.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools to which was referred **H. B. No. 24** — Mr. Detrick, having had the same under consideration reports it back with the following amendments, and recommends its passage when so amended.

In line 2 after the word "sections" insert "7860, 7865."

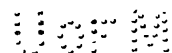
In line 2 strike out the word "and" and insert a comma after "7868".

In line 2 after the numeral "7869" insert "7870 and 7873".

In line 3 change "supplemented" to "supplemental".

In line 23 change "employ" to "employment".

In line 32 strike out the words "high school".



In line 36 after the word "instructions" change period to comma and add "but no payment by the state shall be made for work in such schools prior to January 1, 1915".

Between lines 51 and 52 insert the following section:

"Sec. 786c. The county teachers * * * institute, annually, shall elect by ballot, a president and a secretary. * * * Such election of officers shall be held during the session of such institute and at a time fixed by the county board of education. At least three days' notice of the election shall be given the members of such institute by posting conspicuously in the room, where the institute is held, a notice of the time and place of holding it, and of the officers to be voted for. The expenses of conducting such institute shall be paid out of the county board of education fund upon the order of the president of the county board of education."

"Sec. 7865. Within five days after the adjournment of the institute the county superintendent * * * shall report to the superintendent of public instruction * * * the number of teachers in attendance, the names of instructors and lecturers attending, the amount of money received and disbursed by the county board of education * * * and such other information relating to the institute as the superintendent of public instruction * * * requires."

• In line 56 strike out all the line after the period.

Strike out all of line 57.

In line 66 strike out the word "four" and insert in lieu thereof the word "five".

Between lines 68 and 69 insert the following section: "Sec. 7870. When a teachers' institute has been authorized by the county board of education the boards of education of all school districts * * * shall pay the teachers and superintendents of their respective districts their regular salary for the week they attend the institute upon the teachers or superintendents presenting certificates of full regular daily attendance, signed by the * * * county superintendent. If the institute is held when the public schools are not in session, such teachers or superintendents shall be paid two dollars a day for actual daily attendance as certified by the * * * county superintendent, for * * * not more than * * * five days of actual attendance, to be paid as an addition to the first month's salary after the institute, by the board of education by which such teacher or superintendent is then employed. In case he or she is unemployed at the time of the institute, such salary shall be paid by the board next employing such teacher or superintendent, if the term of employment begins within three months after the institute closes."

"Sec. 7873. If the board of a district does not provide for such institute in any year, it shall cause the institute fund in the hands of the district treasurer for the year to be paid to the treasurer of the county wherein the district is situated, who shall place it to the credit of the * * * county board of education fund. The teachers of the schools of such district in such case, shall be entitled to the advantages of the county institute, subject to the provisions of sections seventy-eight hundred and sixty-nine, and seventy-eight hundred and seventy. The clerk of the board shall make the report of the institute required by * * * section 7847."

In line 69 after the word "sections" insert "7860, 7865.". In the same line strike out the word "and" and insert a comma. In line 69

after the numeral "7869" insert a comma and add the following: "7870, 7873, and sections 7861, 7862, 7866 and 7867".

The amendments were agreed to and the bill was ordered to be engrossed and read the second time in regular order.

The following bill was introduced and read the first time:

H. B. No. 30 — Mr. Black, of Hamilton.

To amend section 9757 of the General Code and to supplement section 9759 by the enactment of supplemental section 9759-1 of the General Code to conform the banking laws of Ohio to the federal reserve act.

Mr. Black, of Hamilton, moved that the rule requiring bills to be printed and distributed for the use of the members before the reference thereof be suspended and **H. B. No. 30** be referred at once to the committee on Banks and Banking.

The motion was disagreed to.

Mr. Wintermute presented the remonstrances of Aloys Stammen and 16 other citizens of Mercer county, B. J. Bertke and 31 other citizens of Mercer county, Fred Bertke and 48 other citizens of Mercer county, Fred Huber and 81 other citizens of Mercer county, and George Bohman and 15 other citizens of Quinter special school district, protesting against the passage of the proposed school laws, which were referred to the committee on Public Schools.

On motion of Mr. Lowry, the House adjourned at 5:20 o'clock P. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,
Friday, January 30, 1914, 9:00 o'clock A. M.

The House met pursuant to adjournment.

Prayer was offered by the Reverend D. J. Starr, of Columbus.

The journal of yesterday was read and approved.

Mr. Walsh arose to a question of privilege, and asked that his vote be recorded on **S. B. No. 11** — Mr. Zmunt. His name being called, Mr. Walsh voted yea.

Mr. Nungesser arose to a question of privilege, and asked that his vote be recorded on the amendment of Mr. vonder Heide to **H. B. No. 5** — Mr. Guthery. His name being called, Mr. Nungesser voted nay.

The following bill was introduced and read the first time:

H. B. No. 31 — Mr. Leist.

Relative to appropriating money for the assistance of weak school districts.

Mr. Rhulman moved that the rule requiring bills to be printed and distributed for the use of the members before the reference thereof be suspended and said bill be referred at once to committee.

The motion was agreed to and **H. B. No. 31** was referred at once to the committee on Appropriations and Finance.

Bills were referred as follows:

H. B. No. 30 — Mr. Black of Hamilton. To the committee on Banks and Banking.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following Joint Resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 6—Mr. Weygandt.

Appointing a committee to arrange for a legislative reunion.

Attest;

W. V. GOSHORN,

Clerk.

The resolution was laid over under the rule.

On motion of Mr. Lowry, the House adjourned at 9:15 o'clock A. M.

Attest:

JOHN R. CASSIDY,

Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Monday, February 2, 1914, 5:00 o'clock P. M.

The House met pursuant to adjournment.

Prayer was offered by the Reverend Sam Small, of Georgia.

The journal of the last legislative day was read and approved.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in House amendments to **S. B. No. 1**—Mr. Mooney.

Attest:

W. V. GOSHORN,

Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 3—Mr. Snyder, of Hamilton.

With the following amendment, in which the concurrence of the House of Representatives is requested:

Title amended to read as follows:

To amend sections 4949, 4952, 4963, 5004, 5006, 5018 and 5094 of the General Code, to supplement section 4828 by enacting supplemental sections to be known as 4828-2 and 4828-3 and to repeal section 4968 relative to the nomination and election of United States senators.

Attest:

W. V. GOSHORN,

Clerk.

The question was "Shall the Senate amendment be concurred in?"

The yeas and nays were taken, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,
Anderson,
Appenzeller,
Barthelmeh,

Behne,
Beyer,
Bishop,
Bonnell,

Bour,
Brennan,
Brown,

of Ashland,

Cameron,
Chapman,
Clark,
Conover,

Those who voted in the affirmative were: Messrs—Concluded.

Criswell,	Hoover,	Morris,	Shanley,
of Coshocton,	Horwitz,	Mueller,	Siebert,
Criswell,	Jackson,	Murphy,	Smith, of Morgan,
of Morrow,	Kathe,	Nungesser,	Terrell,
Deaton,	Kemerer,	Orlikowski,	Thomas,
Detrick,	Kessler,	Orrison,	Venus,
Dickson,	Kilpatrick,	Pence,	vonder Heide,
Doster,	Kilrain,	Plank,	Walsh,
Fellinger,	King,	Quinlisk,	Warnes,
Foreman,	of Ashtabula,	Reighard,	Welsh,
Freeman,	King, of Franklin,	Rhulman,	White,
Gilson,	Kramer,	Robinson,	Winans,
Guthery,	Lambert,	Schaefer,	Wintermute,
Hastings,	Lowry,	Schweikert,	Winters,
Hite,	McCormick,	Scott,	Young—74.
Hoaglin,	Mills,		

The Senate amendment was concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 6—Mr. Behne. To amend section 246 of the General Code, providing for the issuance of duplicate warrants in certain cases.

With the following amendment, in which the concurrence of the House of Representatives is requested:

Strike out all after the enacting clause and substitute the following:

SECTION 1. That section 246 of the General Code be amended to read as follows:

Sec. 246 * * * *Whenever it is made to appear to the satisfaction of the auditor of state, by affidavit or otherwise, that any warrant on the state treasury by him issued has been lost or destroyed prior to its presentation for payment, and there is no reasonable probability of its being found or presented, such auditor may issue to the proper person a duplicate of such lost or destroyed warrant, provided that before issuing such duplicate said auditor of state shall require of the person making such application a bond in double the amount of such claim, payable to the State of Ohio, with surety to the approval of said auditor and of the treasurer of state, and conditioned to make good any loss or damage sustained by any person or persons on account of the issuance of said duplicate and the subsequent presentation and payment of the original. The form of said bond is to be prepared by the attorney-general and the bond when executed filed in the office of the treasurer of state. The duplicate warrant issued shall be plainly stamped or marked so that its character may be readily and easily ascertained, and in no event shall any liability attach to the treasurer of state on account of his paying any duplicate warrant issued under authority of this section.*

SECTION 2. That said original section 246 of the General Code be and the same is hereby repealed.

The question was, "Shall the Senate amendment be concurred in?"

The yeas and nays were taken, and resulted—yeas 73, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Schaefer,
Agler,	of Morrow,	of Ashtabula,	Schweikert,
Anderson,	Deaton,	King, of Franklin,	Shanley,
Appenzeller,	Detrick,	Lowry,	Siebert,
Behne,	Dickson,	McCormick,	Smith, of Morgan,
Beyer,	Fell,	Mills,	Snyder,
Black,	Fellinger,	Morris,	of Hamilton
of Hamilton,	Freeman,	Mueller,	Terrell,
Black,	Gilson,	Murphy,	Tetlow,
of Wyandot,	Guthery,	Nungesser,	Thomas,
Bonnell,	Hastings,	Orlikowski,	Venus,
Bour,	Hite,	Orrison,	vonder Heide,
Brennan,	Hoaglin,	Pence,	Walsh,
Brown,	Hoover,	Plank,	Warnes,
of Ashland,	Horwitz,	Plumb,	Welsh,
Cameron,	Kathe,	Quinlisk,	White,
Chapman,	Kemerer,	Reid, of Fayette,	Winans,
Clark,	Kessler,	Reighard,	Wintermute,
Criswell,	Kilpatrick,	Rhulman,	Winters,
of Coshocton,	Kilrain,	Robinson,	Young—73.

The Senate amendment was concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 1 — Mr. Warnes.

With the following amendments in which the concurrence of the House of Representatives is requested:

In line 2 change the numerals "6309" to "3609".

Beginning at line 46 and read as follows:

"SECTION 2. That said original section 3609 of the General Code (as contained in the act entitled "An Act to amend sections 6290 et al. of the General Code relating to motor vehicles", 103 O. L. page 763) be and the same is hereby repealed."

Change the title to read as follows:

"To amend section 3609 of the General Code (as contained in the act entitled "An Act to amend section 6290 et al. of the General Code", 103 O. L. page 763), relating to motor vehicles."

Attest: .

W. V. GOSHORN,

Clerk.

The question was: "Shall the Senaté amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 66, nays, 7, as follows:

Those who voted in the affirmative were: MESSRS.

Acker,	Black,	Brennan,	Criswell,
Agler,	of Hamilton,	Brown,	of Coshocton,
Anderson,	Black,	of Ashland,	Criswell,
Appenzeller,	of Wyandot,	Cameron,	of Morrow,
Behne,	Boggs,	Chapman,	Deaton,
Beyer,	Bonnell,	Clark,	Detrick,
Bishop,	Bour,	Cowan,	Dickson,

Those who voted in the affirmative were: Messrs — Concluded.

Doster,	Kessler,	Mueller,	Snyder,
Fell,	Kilpatrick,	Murphy,	of Hamilton
Fellinger,	Kilrain,	Nungesser,	Terrell,
Foreman,	King,	Nye,	Thomas,
Fulton,	of Ashtabula,	Orlikowski,	Venus,
Guthery,	Lambert,	Rhulman,	vonder Heide,
Hastings,	Lowry,	Schaefer,	Walsh,
Hite,	Lustig,	Schweikert,	Warnes,
Hoaglin,	McCormick,	Scott,	Wintermute,
Horwitz,	Mills,	Shanley,	Winters,
Kathe,	Morris,	Siebert.	Young—66.
Kennedy,			

Messrs. Conover, King, of Franklin, Plank, Reighard, Robinson, Smith, of Morgan, and Winans voted in the negative.

The Senate amendments were concurred in.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

February 2, 1914.

To the General Assembly:

In the past the rule has been to employ the service of attorneys to recodify the laws and thereby correct errors which inadvertently crept into the statutes. In order to do away with this expense this was not done following the last session, and I am advised that there are a few such errors that ought to be removed. I therefore recommend legislation to the end that this may be done. My information from the clerks of the Senate and House respectively is that the Torrens Land Act is the only one now needing attention, but there may be more. A complication exists at Marietta in connection with the project of erecting an armory building. Under the limitations in the conveyance of land by the old Ohio company the ground which the City of Marietta transfers to the State can only be used for public purposes. This creates some conflict with the law under which the State Armory Board operates and which gives it an untrammelled right of conveyance. It is recommended that the first city in the commonwealth, a place of historic interest, be shown the consideration of having the broad provisions of the armory law waived in this project. The title to the land, without any defect will pass to the State, the only possible impairment arising from the specification in the original grant that the land must always be used for public purposes.

The general laws of Ohio restrict township trustees in their expenditure of money, and the Snyder Emergency Act passed in 1913, by oversight, failed to take care of the matter. While there is but one case where this matter presents itself at this time — the emergency arising in Delaware County — there may be many places where like situations may develop in the future and the same should be cared for in a general law having uniform operation throughout the state. The Attorney General's Department has prepared a bill which will meet the situation and I urge its favorable consideration.

It is necessary to pass laws enabling certain communities to provide for damages resulting from the floods of 1913. In July, 1913, a cloudburst caused a flood of water through Duck Creek. The damage done to Noble County, Muskingum and Washington Counties as well, through the washing away of bridges and the destruction of roads and public property was so great that these counties are unable to replace them by raising funds by taxation or bond issues under our general statutes. The situation is practically the same in these counties by reason of the flood of July, 1913, as existed in other portions of the state by reason of the floods of March and April, 1913. The same relief which was given other counties of the state by the Snyder Law, (103 O. L. 141) should be adequately taken care of by so amending the Snyder Law as to make it applicable to floods occurring in July, 1913, instead of limiting it to the floods of March and April, and this action is recommended.

During the flood of 1913 a number of culverts were damaged and others washed out, making traffic impossible on some of the public highways in Benton Township, Paulding county. The county commissioner residing in that part of the county directed the trustees of the township to repair and where necessary construct new culverts, guaranteeing payment by the county. Since then there has been a change in the personnel of the board of county commissioners and the new board takes the position that reimbursement cannot legally be made without an enabling act by the legislature. The expenses incurred by the township have reduced its funds and the trustees are unable to meet current obligations. It is suggested that a bill be passed giving the county commissioners the authority to meet the expense.

While the State Liquor Licensing Board has been in operation but a short time, experience has demonstrated wherein its position should be strengthened in the exercise of its police powers. I therefore recommend that substantially such authority be conferred on this board as is exercised by the State Fire Marshal under sections 830, 831, 832 and 834 of the General Code. Section 6091 should also be strengthened, and section 6072 should be amended to provide for the attachment and operation of the lien as of November instead of May, to correspond with the license year.

The 78th General Assembly of Ohio created the Tax Commission of Ohio, consisting of three members to be appointed for terms of three years, etc., (101 O. L., p. 399). The 79th General Assembly also created a Tax Commission of Ohio, consisting of three members, to be appointed for terms of six years, etc., (102 O. L. p. 224). The latter law repealed all of the former law with the exception of the first section providing for the appointment of the members of said Tax Commission. This section for some reason was omitted. In order to straighten out the existing conflict, a new bill should be drawn providing that all appointments hereafter made, with the exception of the appointment of a successor to the incumbent whose term expires February 1914, shall be in accordance with the provisions of the law passed by the 79th General Assembly. This is so obviously an emergency measure that it should be so adopted.

The law creating the Agricultural Commission of Ohio, through inadvertence, nullified the provisions of H. B. 413 passed during the last session. Its re-establishment seems to be essential to the fishery interests of the State, and I recommend that it again be enacted.

In view of the fact that the State is distributing a large number of Hungarian Partridges, a bird not named in the Ohio Code, section

1412 should be so amended as to afford them protection for such time as seems desirable. The recently enacted Federal Law protecting migratory birds, prohibits spring shooting of wild water fowl; designates the Carolina Dove as a game bird, and protects wood duck and certain species of snipe until 1918. Since these regulations take precedence over Ohio laws it would seem that local statutes should be made to conform. It is recommended that the following provision, which apparently was inadvertently omitted from section 1412 when under consideration during last session, be restored: "but no person shall catch, kill, injure or pursue any game bird or game animal on any Sunday."

It is agreed by the bench, the bar and the laity of the State that something should be done to simplify our legal procedure. Every eminent authority in the country not only points out the archaic methods which are preserved but expresses surprise that progress is not made along these lines. The intricacies of the law and the judicial procedure are a distinct disadvantage to all the people of the commonwealth, and yet no change should be made until an intelligent and exhaustive survey shall have been conducted under the most efficient auspices possible. It is my earnest recommendation that a committee be appointed to carry on this work. A distinct service would be rendered if the committee submitted a finding as to whether the diminishing litigation in the courts of the State does not call for a reduction in the number of judges, and an equitable arrangement of the judicial subdivisions if the county plan is done away with. It is suggested that there be no compensation allowed for the work.

The bill creating a municipal court in the City of Cincinnati seems to be defective in that cases are carried from it directly to the Court of Appeals. A congestion seems inevitable. The bar association of that city and business organizations have made sundry recommendations, and I suggest that the Assembly make such changes in the law as in its judgment it sees fit.

My attention has been directed also to a request coming from Hamilton County in which civic organizations, the bar and the clergy join, to the effect that one of the county courts should be turned into a Court of Domestic Relations to which all divorce litigation will go. No one can question the wisdom of our perfecting a plan which will enable the judicial machinery to adjust itself to this distinct community need. The demand from Cincinnati is so insistent and intelligent that a sense of duty impels its submission to your honorable body for such action as you may deem wise, in the matter of proscribing and providing for specialized work in the first instance and then readjusting the matter of jurisdiction, in such manner as the fundamental change may render necessary.

The repeal of the 1914 appropriation bill not only necessitates the making up of a budget to replace it but the passage also of the usual deficiency and sundry appropriation bills. I recommend that these three matters have your attention.

The Ohio Municipal League, made up of officers who are rendering intelligent service in these sub-divisions, passed a resolution at its last convention urging that investigations be made to determine whether there is an equitable division of certain public funds as between the State and the municipalities. I am very sure that I voice the general desire of the Assembly in the statement that there should be the most equitable adjustment of these matters to the end that the revenues derived under general and special taxation laws might be apportioned fairly and

justly. The municipalities are so earnest in their appeal that it seems to me the Assembly should confer upon the Governor the right to appoint a committee of competent men to exhaustively go into the subject and submit a report as to what in its judgment ought to be done. No compensation should be provided.

When the Agricultural Commission was created by law it was the intention that the Dean of the College of Agriculture, elected by the board of trustees of the Ohio State University, should automatically become a member of the Agricultural Commission. There is some doubt as to whether the language written into the law makes this perfectly clear. I recommend that this be done, and that the provision also be made very definite that the Dean shall derive his compensation from the University and not from the Agricultural Commission. This is desired both by the University and the Commission.

The State of Ohio is prosecuting a claim against the Columbus Saving & Trust Co., an insolvent concern, whose affairs are now in charge of the State Banking Department. As is well known, the depositors will suffer a heavy loss in the closing out of this business. The claim grows out of the use of public monies by the officers of the institution under the methods of illegal preference common to those days. We are reminded that the government of the commonwealth was clothed with the power of examining and regulating this as well as other state banks, and we are confronted also with the anomalous situation of one department of the State suing another State Department. The Attorney General believes that the claim of the State against this Trust Company ought to be waived because its prosecution will bear heavily upon the depositors whom the State was supposed to protect against such losses. I acquiesce in this view which is submitted by the Attorney General and recommend that a bill be passed carrying this suggestion into effect.

JAMES M. COX,
Governor.

Mr. Lowry moved that the several subjects referred to in the Governor's message be referred at once to the proper committees.

The motion was agreed to and the subjects were referred as follows: Recodifying laws. To the committee on Judiciary.

Armory building at Marietta. To the committee on Military Affairs. Laws restricting township trustees. To the committee on County Affairs.

Damages resulting from floods. To the committee on County Affairs.

State liquor licensing board. To the committee on Liquor Traffic and Temperance.

Tax commission. To the committee on Taxation.

Agricultural Commission. To the committee on Agriculture.

Hungarian partridges. To the committee on Fish and Game.

Simplifying legal procedure. To the committee on Judiciary.

Cincinnati municipal court. To the committee on Cities.

Court of domestic relations. To the committee on Judiciary.

1914 appropriation bill. To the committee on Appropriations and Finance.

Ohio Municipal League. To the committee on Cities.

Dean of the College of Agriculture becoming a member of the Agricultural Commission. To the committee on Agriculture.

State vs. the Columbus Savings & Trust Company. To the committee on Appropriations and Finance.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bills and joint resolutions.

H. B. No. 7 — Mr. Clark. To supplement section 131 of the General Code by section 131-1 relating to affidavits by notaries public.

H. J. R. No. 6 — Mr. Carroll. Relating to "The Hamil Bill" now pending in Congress.

H. J. R. No. 4 — Mr. Terrell. To provide for the printing of the report of the Ohio Coal Mining Commission to the Governor of Ohio.

H. B. No. 9 — Mr. Snyder of Pickaway. To amend section 12842 of the General Code, relating to perjury in connection with nominating, initiative, supplementary and referendum petitions.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following Joint Resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 7 — Mr. Lloyd. Relative to printing additional copies of **H. B. No. 13** — Mr. Lowry.

Attest:

W. V. GOSHORN,
Clerk.

The resolution was laid over under the rule.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate insists on its amendments to **H. J. R. No. 2** — Mr. Smith, of Butler, and asks for a Committee of Conference.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lowry moved that the House accede to the request of the Senate and that a committee of conference be appointed on the matters of difference.

The motion was agreed to and the speaker appointed as managers on the part of the House, Messrs. Smith of Butler, Pence and Bishop.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House is requested:

S. B. No. 12 — Mr. Friebohn. To repeal sections 2457-1, 2457-2 and 2457-3 of the General Code (103 Ohio Laws, 830) and to supplement section 7622 by sections 7622-1, 7622-2, 7622-3, 7622-4, 7622-5,

7622-6, and 7622-7, providing for the wider use of public buildings and grounds.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time and referred to the committee on Public Schools.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House is requested:

S. B. No. 7—Mr. Lloyd. To amend sections 7753 and 7754 of the General Code and to add supplementary sections 7753-1, 7753-2 and 7753-3 relating to the inspection of High Schools.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Lowry the rule requiring bills to be referred to committee before second reading was suspended and **S. B. No. 7**—Mr. Lloyd was ordered placed on the calendar for second reading in its regular order.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has agreed to the report of the Committee of Conference on matters of difference between the two Houses on **H. B. No. 2**—Mr. Welsh. To amend section 2269 of the General Code, relating to the publishing and distribution of the annual reports of the appointive state officers and boards.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **S. B. No. 9**—Mr. Hudson, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

At the end of line 19 strike out the semicolon (;) and insert period (.).

Strike out all of line 20 and 21 to the period, and in lieu thereof insert the following: "No more shall be charged per capita than the amount ascertained by dividing the total expenses of conducting the high school of the district attended, exclusive of permanent improvements and repair, by the average monthly enrollment in the high school of the district"

In line 34 after the word "years" change the period to a comma (,) and add the following: "or at any second grade high school for three years and a first grade high school for one year."

In line 75 after the word "blackboard" insert a period (.) and strike out the words "at least one-half of which must" and in lieu thereof insert the following "The lower margin of not less than twelve lineal feet of which board, shall"

In line 90 after the word "blackboard" insert period (.)

Strike out all of the remainder of the line and line 91 to the word "be" and in lieu thereof insert the following: "The lower margin of not less than twelve lineal feet of which board, shall"

In line 111 after the word "blackboard" insert a period (.) and strike out the remainder of the line and part of line 112 to the word "be" and in lieu thereof insert the following: "The lower margin of not less than twelve lineal feet of which board, shall"

JOHN H. LOWRY,
JOHN J. SHANLEY, SR.,
GUY DETRICK,
J. CHAS. CRISWELL,
G. G. O. PENCE.

VAN S. DEATON,
GEO. M. HOAGLIN,
GEO. M. MORRIS,
J. V. WINANS.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **S. B. No. 8**—Mr. Cahill, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In lines 44 and 45 strike out the following words: "with the approval of the governor,".

JOHN H. LOWRY,
JOHN J. SHANLEY, SR.,
GEO. M. HOAGLIN,
GUY DETRICK,
J. CHAS. CRISWELL,

W. M. DICKSON,
GEO. M. MORRIS,
G. G. O. PENCE,
VAN S. DEATON,
J. V. WINANS.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Carroll submitted the following Report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills and joint resolution:

H. J. R. No. 1—Mr. Lowry. Relative to printing extra copies of certain bills.

H. B. No. 4—Mr. Etling. To supplement section 9955 of the General Code by the enactment of supplemental sections 9955-1 and 9955-2, to authorize the interchangeable use of the words "academy", "college" and "university".

H. B. No. 8—Mr. Fellingner. To make further provision for collecting, installing and maintaining an exhibit of the products and resources of the state of Ohio at the Panama-Pacific International Exposition in 1915 and to make an appropriation therefor.

JAS. T. CARROLL,
F. J. KILRAIN,

WALTER G. AGLER,
FRANK W. THOMAS.

The speaker of the House, in the presence of the House, signed said bills and joint resolution.

The following bills were introduced and read the first time:

H. B. No. 32 — Mr. Brown, of Ashland.

To amend sections 1079 and 1081 and to repeal section 1090 of the General Code, relating to the appointment of members of the agricultural commission.

H. B. No. 33 — Mr. Black, of Hamilton.

To amend an act entitled "An act providing for enlarging and extending the jurisdiction of the police court of Cincinnati and changing the name of such court to the municipal court of Cincinnati" (103 O. L. 279), by changing the method of reviewing the final judgments and orders of such court, and by repealing section 45 of such act.

H. B. No. 34 — Mr. Welsh.

To amend sections 6072, 6087 and 6091 of the General Code, relating to the duties of certain inspectors and to the assessment of the liquor traffic tax.

H. B. No. 35 — Mr. Dickson.

To authorize the state armory board to accept a gift of land in the city of Marietta, Ohio, as the site of an armory building, and to erect thereon an armory.

H. B. No. 36 — Mr. Hoaglin.

To authorize the county commissioners of Paulding county, Ohio to reimburse the township trustees of Benton township in such county in a sum not to exceed thirteen hundred and seven dollars and thirty-seven cents for money spent in repairing culverts damaged by the flood of 1913.

H. B. No. 37 — Mr. Welsh.

To amend section 1453 of the General Code, relating to the catching of carp.

H. B. No. 38 — Mr. Hastings.

To amend Section 1 of "An act to authorize county commissioners, township trustees, boards of education, road commissioners, councils of municipal corporations and boards and officers thereof temporarily to repair, reconstruct and replace public property and public ways destroyed or injured by floods occurring in March and April, 1913; to authorize county commissioners and councils of municipal corporations to borrow and expend money for the purpose of cleansing public places and private grounds and buildings and removing therefrom any matter deposited therein by said flood which is inimical to the public health, safety or convenience; and to exempt proceedings for the permanent repair, reconstruction and replacement of such public property and public ways, and bonds issued and levies made for such purposes from certain requirements and limitations" (103 Ohio Laws 141), relating to expenditures rendered necessary by floods.

H. B. No. 39 — Mr. Cameron.

To provide for teaching in the public schools of Ohio the modes by which the dangerous communicable diseases are spread, and the best method for the restriction and prevention of such diseases.

H. B. No. 40 — Mr. Orrison.

To release the claim of the state against the Columbus Savings & Trust Company.

H. B. No. 41 — Mr. Kilpatrick.

To provide for the appointment of one member of the tax commission of Ohio, and to so arrange that appointments to said commission may be hereafter made as provided in section 1465-1 of the General Code, passed June 2, 1911.

H. B. No. 42 — Mr. Bour.

To provide for an investigation as to the condition of the finances of municipalities.

Mr. Lowry moved that the rule requiring bills to be printed and distributed for the use of the members before the reference thereof be suspended and all bills introduced be referred at once to committee.

The motion was agreed to and bills were referred as follows:

H. B. No. 32 — Mr. Brown of Ashland. To the committee on Agriculture.

H. B. No. 33 — Mr. Black of Hamilton. To the committee on Cities.

H. B. No. 34 — Mr. Welsh. To the committee on Liquor Traffic and Temperance.

H. B. No. 35 — Mr. Dickson. To the committee on Military Affairs.

H. B. No. 36 — Mr. Hoaglin. To the committee on County Affairs.

H. B. No. 37 — Mr. Welsh. To the committee on Fish and Game.

H. B. No. 38 — Mr. Hastings. To the committee on County Affairs.

H. B. No. 39 — Mr. Cameron. To the committee on Public Health.

H. B. No. 40 — Mr. Orrison. To the committee on Appropriations and Finance.

H. B. No. 41 — Mr. Kilpatrick. To the committee on Judiciary.

H. B. No. 42 — Mr. Bour. To the committee on Cities.

Mr. Smith, of Morgan, offered **H. J. R. No. 9**.

To authorize the printing and publication in pamphlet form of the acts passed at this session of the General Assembly with regard to the school system of Ohio.

The resolution was laid over under the rule.

By unanimous consent, Mr. Brown submitted the following report:

The standing committee on Agriculture, to which was referred

H. B. No. 32 — Mr. Brown, of Ashland, having had the same under consideration, reports it back and recommends its passage.

W. M. BROWN,
I. S. GUTHERY,
M. G. NUNGESSER,
R. B. CAMERON,
G. G. O. PENCE,
F. B. FELL,
C. H. McCORMICK,

C. A. WHITE,
B. H. KATHE,
T. E. HOOVER,
WILL E. MURPHY,
F. M. PLANK,
THORNTON R. SNYDER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

By unanimous consent, Mr. Shanley submitted the following report:
The standing committee on Military Affairs, to which was referred **H. B. No. 35** — Mr. Dickson, having had the same under consideration, reports it back and recommends its passage.

JOHN J. SHANLEY, Sr.
B. H. KATHE
VAN S. DEATON,

SMITH WELSH,
LOUIS R. SIEBERT.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

By unanimous consent, Mr. Black, of Hamilton, submitted the following report:

The standing committee on Cities, to which was referred **H. B. No. 33** — Mr. Black, of Hamilton, having had the same under consideration, reports it back and recommends its passage.

ROBERT BLACK,
DON P. MILLS,
C. A. ORRISON,
JAS. T. CARROLL,

H. S. BIGELOW,
C. P. VENUS,
JOHN R. KING.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

S. J. R. No. 6 — Mr. Weygandt, was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 76, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Schweikert,
Anderson,	of Coshocton,	Kilpatrick,	Scott,
Behne,	Criswell,	Kilrain,	Shanley,
Beyer,	of Morrow,	King,	Siebert,
Bigelow,	Deaton,	of Ashtabula,	Smith, of Morgan,
Black,	Detrick,	Lambert,	Snyder,
of Hamilton,	Dickson,	Lowry,	of Hamilton
Black,	Doster,	Lustig,	Thomas,
of Wyandot,	Fell,	McCormick,	Venus,
Boggs,	Fellinger,	Mills,	vonder Heide,
Bonnell,	Foreman,	Morris,	Walsh,
Bour,	Freeman,	Mueller,	Warnes,
Brennan,	Fulton,	Murphy,	Welsh,
Brown,	Gilson,	Nungesser,	White,
of Ashland,	Hastings,	Orlikowski,	Williams,
Cameron,	Hite,	Orrison,	Winans,
Carroll,	Hoaglin,	Pence,	Wintermute,
Chapman,	Hoover,	Quinlisk,	Winters,
Clark,	Kathe,	Rhulman,	Woodworth,
Conover,	Kemerer,	Robinson,	Young—76.
Cowan,	Kennedy,	Schaefer,	

Mr. Horwitz voted in the negative:

The resolution was adopted.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 43 — Mr. Reid.

To amend sections 8572-1, 8572-6, 8572-16, 8572-18, 8572-22, 8572-28, 8572-43, 8572-44, 8572-51, 8572-67, 8572-77, 8572-80, 8572-94, 8572-99, 8572-112, 8572-113, and 8572-114 relating to the registration of land titles.

On motion of Mr. Reid, the rule requiring bills to be printed and distributed for the use of the members before the reference thereof was suspended and **H. B. No. 43** — Mr. Reid, was referred at once to the committee on Judiciary.

By unanimous consent, Mr. Kilpatrick submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 6** — Mr. Weygandt, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 3 after the figures 29 insert the following: "And section 5080."

In line 4 after the word "inclusive" insert the following: "And Section 5080-1."

In line 4 change the letter "q" to "r" after the numeral 5175-29.

Between lines 182 and 183 insert the following:

Sec. 5175-29R. Section 5175-29c to section 5175-29q inclusive shall apply only to petitions and elections upon petitions upon which it is necessary to file signatures from each of one-half of the counties of the State.

Sec. 5080-1. Not later than forty days prior to an election at which questions are to be submitted to a vote of the people, any committee which in good faith advocates or opposes a measure may file a petition with the board of deputy state supervisors of elections of any county asking that such petitioners be recognized as the committee entitled to nominate inspectors to the count at such election, as herein provided. If more than one committee alleging themselves to advocate or oppose the same measure file such petitions, the board of deputy state supervisors shall decide and announce by registered mail to each committee not later than thirty days immediately preceding the election, which committee is entitled to nominate such inspectors. Such decision shall not be final but any aggrieved party may institute mandamus proceedings in the Common Pleas Court of the county wherein such deputy state supervisors have jurisdiction to compel such board of deputy state supervisors to certify the nominees of such aggrieved party to the judges of elections as herein provided.

Any such duly recognized committee may nominate an elector as an inspector to the count in each precinct. Such committee shall file the names of the persons nominated with the deputy state supervisors of elections of the county in which the inspectors reside at least five days before the election. The committees may also file the names of the nominees for inspectors for each precinct with the chairmen of the judges of election of that precinct. The deputy state supervisors of election shall certify the nominees for each precinct to the judges of elections of the respective precinct. If the deputy state supervisors of election have not certified nominations as herein provided forty-eight hours immediately preceding the election, the judges of election of each precinct shall appoint such nominees without such certification. In no case shall more than six such inspectors be appointed for any one elec-

tion in any one precinct. If more than three questions are to be voted on, the committee which have nominated inspectors as herein provided, may agree upon not to exceed six inspectors and the judges of election shall appoint such inspectors. If such committees fail to agree the judges of election shall appoint six inspectors from nominees so certified in such manner that each side of the several questions shall be represented.

JOHN F. KRAMER,
S. H. WILLIAMS,
W. B. KILPATRICK,
PERCY TETLOW,
STEPHEN M. YOUNG,

J. CHAS. CRISWELL,
J. R. B. KESSLER,
C. A. REID,
THORNTON R. SNYDER,
V. J. VONDER HEIDE.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

By unanimous consent, Mr. Welsh submitted the following report:

The standing committee on Temperance, to which was referred **H. B. No. 34**—Mr. Welsh, having had the same under consideration, reports it back and recommends its passage.

SMITH L. WELSH,
S. C. ANDERSON,
VAN S. DEATON,

O. B. CHAPMAN,
LOUIS HORWITZ,
JOHN C. HOFFMAN.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

On motion of Mr. Clark, the House recessed until Tuesday at 10:00 o'clock A. M.

Hall of the House of Representatives, Columbus, Ohio,

Tuesday, February 3, 1914, 10:00 o'clock A. M.

The House met pursuant to recess.

Prayer was offered by the Reverend John W. Langdale, of Cincinnati.

On motion of Mr. Acker, the rule requiring bills after having been reported back by committees to be placed on the calendar for second reading for the second day following, was suspended, and all bills on the calendar were ordered taken up for second reading.

S. B. No. 8—Mr. Cahill, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Nungesser moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all after the period (.) in line 2 and in lieu thereof substitute as follows:

That section 7761-1 of the General Code be amended to read as follows:

Sec. 7761-1 * * * Agriculture * * * shall hereafter be taught in all the common schools of * * * the state of Ohio, which

* * * are supported in whole or in part by the state; in * * * all village, * * * and rural school districts; * *

SECTION 2. That original sections 7761-1, 7761-2, 7761-3, 7761-4, 7761-5, 7761-6 and 7761-8 of the General Code are hereby repealed.

The motion was disagreed to.

Mr. Cooper moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 43 after the word "salary" insert the following: ", not exceeding two thousand dollars."

The motion was disagreed to.

Mr. Reighard moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 18 after the word "person" insert the following words: "who shall possess all the qualifications of a county superintendent,"

The motion was agreed to, and Mr. Reighard was appointed such committee, and reported the bill amended as instructed.

Mr. McGuffey moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 50 strike out the period after "duty" and add the following: "or who is or becomes interested financially or otherwise with any book publishing or book selling company, firm or corporation."

The motion was agreed to and Mr. McGuffey was appointed such committee, and reported the bill amended as instructed.

Mr. Chapman demanded the previous question, which was duly seconded. The question was: "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Warnes, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 8** was engrossed at the clerk's desk and read the third time.

The question was "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 70, nays 37, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Horwitz,	Orrison,
Barthelmeh,	Crawford,	Hunter,	Rhulman,
Beatty,	Criswell,	Kathe,	Schaefer,
Behne,	of Coshocton,	Kennedy,	Schweikert,
Beyer,	Criswell,	Kilpatrick,	Shanley,
Bigelow,	of Morrow,	Kilrain,	Siebert,
Bishop,	Detrick,	King,	Smith, of Butler,
Black,	Dickson,	of Ashtabula,	Sweeney,
of Hamilton,	Donaldson,	Kramer,	Terrell,
Black,	Doster,	Lambert,	Thatcher,
of Wyandot,	Etling,	Leist,	Thomas,
Bour,	Fell,	Lowry,	Venus,
Brennan,	Fellinger,	Lustig,	Vollmer,
Brown,	Foreman,	McGuffey,	vonder Heide,
of Ashland,	Fulton,	Morris,	Walsh,
Cameron,	Guthery,	Mueller,	Warnes,
Carroll,	Hite,	Murphy,	Welsh,
Chapman,	Hoaglin,	Nye,	Winters,
Clark,	Hoffman,	Orlikowski,	Young—70.

Those who voted in the negative were: Messrs.

Agler,	Diser,	King, of Franklin,	Robinson,
Anderson,	Freeman,	McCormick,	Scott,
Appenzeller,	Gilson,	Nungesser,	Smith, of Morgan,
Bonnell,	Hastings,	Plank,	Tetlow,
Brown, of Union,	Holl,	Plumb,	White,
Capelle,	Hoover,	Quinlisk,	Williams,
Colter,	Jackson,	Reid, of Fayette,	Winans,
Conover,	Jenkins,	Reighard,	Wintermute,
Cooper,	Kemerer,	Reynolds,	Woodworth—37.
Deaton,			

The bill was passed. The title was agreed to.

H. B. No. 32 — Mr. Brown, of Ashland, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Brown, of Ashland, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 32** was read the third time.

The question was "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 88, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cooper,	King,	Shanley,
Agler,	Criswell,	of Ashtabula,	Siebert,
Appenzeller,	of Coshocton,	Kramer,	Smith, of Butler,
Barthelmeh,	Detrick,	Lambert,	Smith, of Morgan,
Beatty,	Dickson,	Lowry,	Snyder,
Behne,	Donaldson,	Lustig,	of Pickaway,
Beyer,	Doster,	McCormick,	Sweeney,
Bishop,	Fell,	McGuffey,	Terrell,
Black,	Fellinger,	Mueller,	Tetlow,
of Hamilton,	Fulton,	Murphy,	Thatcher,
Black,	Guthery,	Nungesser,	Thomas,
of Wyandot,	Hastings,	Nye,	Venus,
Bonnell,	Hite,	Orlikowski,	Vollmer,
Bour,	Hoffman,	Orrison,	vonder Heide,
Brennan,	Holl,	Pence,	Walsh,
Brown,	Hoover,	Plank,	Warnes,
of Ashland,	Horwitz,	Plumb,	Welsh,
Cameron,	Hunter,	Quinlisk,	Williams,
Capelle,	Kathe,	Reighard,	Winans,
Carroll,	Kemerer,	Robinson,	Wintermute,
Chapman,	Kennedy,	Schaefer,	Winters,
Clark,	Kessler,	Schweikert,	Woodworth,
Colter,	Kilpatrick,	Scott,	Young—88.
Conover,	Kilrain,		

Messrs. Crawford, Etling and Jackson voted in the negative.

The bill was passed.

The title was agreed to.

H. B. No. 35 — Mr. Dickson, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Dickson, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 35** was read the third time.

The question was "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 108, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	Kennedy,	Robinson,
Agler,	Criswell,	Kessler,	Schaefer.
Anderson,	of Coshocton,	Kilpatrick,	Schweikert,
Appenzeller,	Criswell,	Kilrain,	Scott,
Barthelmeh,	of Morrow,	King,	Shanley,
Beatty,	Detrick,	of Ashtabula,	Siebert,
Behne,	Dickson,	King, of Franklin,	Smith, of Butler,
Beyer,	Diser,	Kramer,	Smith, of Morgan,
Bigelow,	Donaldson,	Lambert,	Snyder,
Bishop,	Doster,	Leist,	of Pickaway,
Black,	Etling,	Lowry,	Sweeney,
of Hamilton,	Fell,	Lustig,	Terrell,
Black,	Fellinger,	McCormick,	Tetlow,
of Wyandot,	Foreman,	McGuffey,	Thatcher,
Bonnell,	Freeman,	Mills,	Thomas,
Bour,	Fulton,	Morris,	Venus,
Brennan,	Gilson,	Mueller,	Vollmer,
Brown,	Guthery,	Murphy,	vonder Heide,
of Ashland,	Hastings,	Nungesser,	Walsh,
Brown, of Union,	Hite,	Nye,	Warnes,
Cameron,	Hoaglin,	Orlikowski,	Welsh,
Capelle,	Hoffman,	Orrison,	White,
Carroll,	Holl,	Pence,	Williams,
Chapman,	Hoover,	Plank,	Winans,
Clark,	Horwitz,	Plumb,	Wintermute,
Colter,	Hunter,	Quinlisk,	Winters,
Conover,	Jackson,	Reighard,	Woodworth,
Cooper,	Kathe,	Reynolds,	Young—108.
Cowan,	Kemerer,	Rhulman,	

The bill was passed.

The title was agreed to.

H. B. No. 33—Mr. Black, of Hamilton, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Black, of Hamilton, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 33** was read the third time.

The question was "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 94, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Behne,	Black,	Brennan,
Agler,	Beyer,	of Wyandot,	Brown,
Anderson,	Bishop,	Boggs,	of Ashland,
Appenzeller,	Black,	Bonnell,	Brown, of Union,
Beatty,	of Hamilton,	Bour,	Cameron,

Those who voted in the affirmative were: Messrs — Concluded.

Capelle,	Hite,	McGuffey,	Snyder,
Carroll,	Hoaglin,	Mueller,	of Hamilton
Chapman,	Hoffman,	Murphy,	Snyder,
Clark,	Holl,	Nye,	of Pickaway,
Colter,	Hoover,	Orlikowski,	Sweeney,
Conover,	Horwitz,	Orrison,	Terrell,
Cooper,	Hunter,	Pence,	Thatcher,
Crawford,	Jackson,	Plumb,	Thomas,
Criswell,	Kathe,	Quinlisk,	Venus,
of Coshocton,	Kemerer,	Reid, of Fayette,	Vollmer,
Detrick,	Kessler,	Reighard,	vonder Heide,
Dickson,	Kilpatrick,	Reynolds,	Warnes,
Doster,	Kilrain,	Robinson,	Welsh,
Etling,	King,	Schaefer,	White,
Fell,	of Ashtabula,	Schweikert,	Williams,
Fellinger,	Kramer,	Scott,	Winans,
Foreman,	Lambert,	Shanley,	Wintermute,
Freeman,	Leist,	Siebert,	Winters,
Fulton,	Lbwry,	Smith, of Butler,	Woodworth,
Guthery,	Lustig,	Smith, of Morgan,	Young—94.
Hastings,			

The bill was passed.

The title was agreed to.

S. B. No. 6 — Mr. Weygandt, was taken up and read the second time.

The question was: "Shall the bill be read the third time?"

Mr. Clark moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 182ii, change "committee" to "committees"

The motion was agreed to, and Mr. Clark was appointed such committee, and reported the bill amended as instructed.

Mr. Kennedy moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 147, after the word "obtaining" insert the words "or preventing" In line 149, after the word "obtains" add the words "or prevents"

The motion was agreed to, and Mr. Kennedy was appointed such committee, and reported the bill amended as instructed.

Mr. Kilpatrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 19, after the second word "the" insert the following: "form and"

The motion was agreed to, and Mr. Kilpatrick was appointed such committee, and reported the bill amended as instructed.

The question recurred: "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 6** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 101, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilpatrick,	Schaefer,
Anderson,	of Coshocton,	Kilrain,	Schweikert,
Appenzeller,	Criswell,	King,	Scott,
Barthelmeh,	of Morrow,	of Ashtabula,	Shanley,
Beatty,	Deaton,	King, of Franklin,	Siebert,
Behne,	Detrick,	Kramer,	Smith, of Butler,
Beyer,	Dickson,	Lambert,	Smith, of Morgan,
Bigelow,	Doster,	Leist,	Snyder,
Bishop,	Etling,	Lowry,	of Hamilton
Black,	Fell,	Lustig,	Snyder,
of Hamilton,	Fellinger,	McCormick,	of Pickaway,
Black,	Foreman,	McGuffey,	Sweeney,
of Wyandot,	Freeman,	Mills,	Terrell,
Boggs,	Fulton,	Morris,	Tetlow,
Bonnell,	Guthery,	Mueller,	Thomas,
Bour,	Hastings,	Murphy,	Venus,
Brennan,	Hite,	Nungesser,	Vollmer,
Brown,	Hoaglin,	Orlikowski,	vonder Heide,
of Ashland,	Hoffman,	Orrison,	Walsh,
Brown, of Union,	Hoover,	Pence,	Warnes,
Cameron,	Horwitz,	Plumb,	Welsh,
Capelle,	Hunter,	Quinlisk,	White,
Carroll,	Jenkins,	Reid, of Fayette,	Williams,
Chapman,	Kathe,	Reighard,	Winans,
Clark,	Kemerer,	Reynolds,	Wintermute,
Cooper,	Kennedy,	Rhulman,	Winters,
Cowan,	Kessler,	Robinson,	Young—101.
Crawford,			

Messrs. Nye and Woodworth voted in the negative.

The bill was passed.

And thereupon, by direction of the Speaker, upon section 3, being the emergency section, the yeas and nays were taken, and resulted — yeas 96, nays 10, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Conover,	Jenkins,	Robinson,
Agler,	Cooper,	Kathe,	Schaefer,
Anderson,	Cowan,	Kessler,	Schweikert,
Appenzeller,	Criswell,	Kilpatrick,	Shanley,
Barthelmeh,	of Coshocton,	Kilrain,	Siebert,
Beatty,	Criswell,	King,	Smith, of Butler,
Behne,	of Morrow,	of Ashtabula,	Smith, of Morgan,
Beyer,	Deaton,	King, of Franklin,	Snyder,
Bigelow,	Detrick,	Kramer,	of Hamilton
Bishop,	Dickson,	Lambert,	Sweeney,
Black,	Donaldson,	Leist,	Terrell,
of Hamilton,	Doster,	Lowry,	Tetlow,
Black,	Fell,	Lustig,	Thatcher,
of Wyandot,	Fellinger,	McCormick,	Thomas,
Boggs,	Foreman,	McGuffey,	Venus,
Bonnell,	Fulton,	Mills,	Vollmer,
Bour,	Gilson,	Morris,	vonder Heide,
Brennan,	Guthery,	Mueller,	Walsh,
Brown,	Hastings,	Murphy,	Warnes,
of Ashland,	Hite,	Nungesser,	Welsh,
Brown, of Union,	Hoaglin,	Orlikowski,	Williams,
Cameron,	Hoffman,	Orrison,	Winans,
Capelle,	Holl,	Quinlisk,	Wintermute,
Carroll,	Hoover,	Reid, of Fayette,	Winters,
Chapman,	Horwitz,	Reighard,	Young—96.
Clark,	Hunter,	Rhulman,	

Those who voted in the negative were: Messrs.

Crawford,
Freeman,

Kemerer,
Kennedy,
Nye,

Pence,
Plumb,
Scott,

Snyder,
of Pickaway,
Woodworth—10.

The emergency section was adopted.

Mr. Kilpatrick moved to amend the title as follows:

After the word "inclusive" insert "and 5080-1".

At the end of the title strike out the period and add the following:
"and providing inspectors for the count."

Change the letter "q" after the numeral "5175-29" to "r".

The motion was agreed to.

The title as amended was agreed to.

By unanimous consent, Mr. Reighard submitted the following report:

The standing committee on County Affairs, to which was referred **H. B. No. 38** — Mr. Hastings, having had the same under consideration, reports it back and recommends its passage.

C. APPENZELLER,
FRANK H. REIGHARD,
GEO. S. CRAWFORD,
WALTER G. AGLER,

WM. H. SCHWEIKERT,
FRED BARTELMER,
W. T. COLTER,
GEO. LEIST, JR.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Mueller submitted the following report:

The standing committee on Fish and Game, to which was referred **H. B. No. 37** — Mr. Welsh, having had the same under consideration, reports it back and recommends its passage.

G. G. O. PENCE,
C. H. McCORMICK,
W. O. JACKSON,
F. B. FELL,

JOHN H. LOWRY,
W. S. KING,
JOSEPH LUSTIG,
EDWARD R. MUELLER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. C. Appenzeller submitted the following report:

The standing committee on County Affairs, to which was referred **H. B. No. 36** — Mr. Hoaglin, having had the same under consideration, reports it back, and recommends its passage.

C. APPENZELLER,
FRANK H. REIGHARD,
GEO. S. CRAWFORD,
WALTER G. AGLER,

WM. H. SCHWEIKERT,
FRED BARTHELMEH,
GEO. LEIST, JR.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Lambert submitted the following report:

The standing committee on Mines and Mining, to which was re-

ferred **S. B. No. 3** — Mr. Green, having had the same under consideration, reports it back and recommends its passage.

JAMES A. FREEMAN,
W. H. ACKER,
R. R. BOUR,
F. P. LAMBERT,
W. A. HITE,

PERCY TETLOW,
W. A. RHULMAN,
E. C. WOODWORTH,
JOHN J. SHANLEY, SR.

The report was agreed to.

The bill was ordered to be read the second time in its regular order.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **S. B. No. 13** — Mr. Weygandt, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

Strike out all after the enacting clause and in lieu thereof substitute the following:

"SECTION 1. That section 12600-45 of the General Code be supplemented by the addition of a supplementary section to be known as section 12600-45a to read as follows:

Sec. 12600-45a. None of the provisions of section 12600-45 of the General Code shall prevent the construction of an addition to any school building two stories high or less; such addition to be of the same construction and material as the original building whether it be of fireproof, composite or frame construction. Not more than one addition shall ever be added to any school building under the provisions of this section and the lower floor space of such addition shall in no case exceed nine hundred square feet."

JOHN H. LOWRY,
JOHN J. SHANLEY, SR.,
GEO. M. HOAGLIN,
GUY DETRICK,
J. CHAS. CRISWELL,

W. M. DICKSON,
GEO. M. MORRIS,
G. G. O. PENCE,
VAN S. DEATON,
J. V. WINANS.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Chapman submitted the following report:

The standing committee on Labor, to which was referred **S. B. No. 19** — Mr. Hopple, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In lines 5 and 6, strike out the words "in city or other districts having such superintendent,"

In line 6, after the word "or" insert the words "in case of vacancy in the office of superintendent,"

In lines 6 and 7, strike out the words "in village, special and township districts not having such superintendent,"

In lines 51 and 52, strike out the words "in city or other districts having such superintendent,"

In line 52, after the word "or" insert the words "in case there is a vacancy in the office of superintendent,"

In lines 52 and 53, strike out the words "in village, township or special districts not having such superintendent,"

In lines 56, 57 and 58, strike out the words "authorized by him in cities and districts having such superintendent, or the clerk of the board of education in village, township or special districts," and insert in lieu thereof the words "acting in his stead,"

O. B. CHAPMAN,
ALFRED ROBINSON,
PERCY TETLOW,
W. B. KILPATRICK,

J. C. HOFFMAN,
HARRY F. VOLLMER,
FRANK W. THOMAS.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Smith, of Butler, presented the petition of Mr. Ben F. Evans and 39 other firemen of Hamilton, Ohio, asking support of the bill giving the firemen the two platoon systems, which was referred to the committee on Cities.

On motion of Mr. Lowry, the House adjourned at 12:05 o'clock P. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Tuesday, February 3, 1914, 1:30 o'clock P. M.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

H. B. No. 34 — Mr. Welsh, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Welsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 23 strike out "the same" and insert "like."

The motion was agreed to, and Mr. Welsh was appointed such committee, and reported the bill amended as instructed.

Mr. King, of Ashtabula, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 9 after the word "year", insert the following: "Provided, however, that such assessment with any penalty thereon shall not attach and operate as a lien upon the real property aforesaid, if the business taxed and for which the assessment is paid, is conducted by a person, corporation or co-partnership without the knowledge or assent of the owner of said real property."

The motion was agreed to, and Mr. King, of Ashtabula, was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Welsh, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 34** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 79, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Shanley,
Agler,	of Coshocton,	of Ashtabula,	Siebert,
Anderson,	Deaton,	King, of Franklin,	Smith, of Butler,
Behne,	Detrick,	Kramer,	Smith, of Morgan,
Bishop,	Doster,	Lambert,	Snyder,
Black,	Etling,	Lowry,	of Hamilton
of Hamilton,	Fell,	Lustig,	Snyder,
Black,	Foreman,	McGuffey,	of Pickaway,
of Wyandot,	Freeman,	Mills,	Tetlow,
Bonnell,	Fulton,	Morris,	Thatcher,
Bour,	Gilson,	Mueller,	Thomas,
Brennan,	Hastings,	Murphy,	Venus,
Brown, of Union,	Hoaglin,	Nungesser,	Vollmer,
Cameron,	Hoover,	Orlikowski,	vonder Heide,
Capelle,	Hunter,	Orrison,	Walsh,
Carroll,	Jackson,	Plumb,	Warnes,
Chapman,	Jenkins,	Quinlisk,	Welsh,
Clark,	Kathe,	Reid, of Fayette,	Williams,
Colter,	Kemerer,	Reighard,	Winans,
Conover,	Kessler,	Schaefer,	Winters,
Cooper,	Kilpatrick,	Schweikert,	Young—79.
Crawford,			

The bill was passed.

The title was agreed to.

S. B. No. 7 — Mr. Lloyd, was taken up and read the second time.

The question was "Shall the bill be read the third time?"

Mr. Woodworth moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 21, change the word "August" to "September".

The motion was disagreed to.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Thatcher, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 7** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 63, nays 28, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Colter,	Kilpatrick,	Shanley,
Barthelmeh,	Cowan,	Kilrain,	Siebert,
Beatty,	Crawford,	King,	Smith, of Butler,
Behne,	Criswell,	of Ashtabula,	Snyder,
Bigelow,	of Coshocton,	Kramer,	of Hamilton
Black,	Criswell,	Lambert,	Sweeney,
of Hamilton,	of Morrow,	Lustig,	Terrell,
Black,	Deaton,	Mills,	Thatcher,
of Wyandot,	Detrick,	Mueller,	Thomas,
Boggs,	Dickson,	Murphy,	Venus,
Bour,	Doster,	Nungesser,	Vollmer,
Brennan,	Ertel,	Orlikowski,	vonder Heide.
Brown,	Etling,	Orrison,	Walsh,
of Ashland,	Fell,	Pence,	Warnes,
Cameron,	Foreman,	Rhulman,	Welsh,
Carroll,	Hite,	Schaefer,	Winters,
Chapman,	Hoffman,	Schweikert,	Young—63.
Clark,	Horwitz,		

Those who voted in the negative were: Messrs.

Agler,	Freeman,	Kathe,	Smith, of Morgan,
Appenzeller,	Fulton,	Kemerer,	Snyder,
Bonnell,	Gilson,	King, of Franklin,	of Pickaway,
Brown, of Union,	Hastings,	Plumb,	Tetlow,
Capelle,	Hoover,	Quinisk,	Williams,
Conover,	Hunter,	Reighard,	Winans,
Cooper,	Jackson,	Robinson,	Woodworth—28.
Diser,			

The bill was passed.

The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following:

H. J. R. No. 8— Mr. Terrell. Relative to printing copies of the report of the Ohio State school survey commission to the governor of Ohio.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in House amendments to **S. B. No. 8**— Mr. Cahill.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the President of the Senate has appointed on the committee on **S. J. R. No. 6**— Mr. Weygandt, Mr. Weygandt, Mr. Howard, Mr. Herner.

Attest:

W. V. GOSHORN,
Clerk.

The speaker, under the provisions of **S. J. R. No. 6**, appointed the following committee: Messrs. Winters, Clark and Reid.

H. B. No. 11— Mr. Mills, was taken up, having been previously read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Acker demanded a call of the House, which was duly seconded, taken and 114 members answered to their names:

Those absent were: Messrs. Davis, Duffey, Plank, Reppert and Stivers.

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Horwitz further proceedings under the call were dispensed with.

The question recurred, "Shall **H. B. No. 11**— Mr. Mills, be read the third time?"

Mr. Snyder, of Hamilton, moved to refer the bill to a select committee of one, with instructions to amend as follows:

Between lines 108 and 109 insert the following:

"The public utilities commission shall * * * establish a system of accounts to be kept by the public utilities or railroads (including

municipally owned or operated utilities), *and shall* classify said public utilities or railroads *and shall* establish system of accounts for each class, *and shall* prescribe the manner in which such accounts shall be kept; and such system shall when practicable conform to the system prescribed by the tax commission of Ohio. It *shall* also * * * prescribe the forms of accounts, records and memoranda to be kept by such public utilities or railroads, including the accounts, records and memoranda of the movement of traffic as well as the receipts and expenditures of moneys, and any other forms, records and memoranda which in the judgment of the commission may be necessary to carry out any of the provisions of this chapter. The system of accounts established by the commission and the forms of accounts, records and memoranda prescribed by it shall not be inconsistent, in the case of corporations subject to the provisions of the act of congress entitled 'An Act to regulate commerce' approved February fourth, eighteen hundred and eighty seven and the acts amendatory thereof and supplementary thereto, with the systems and forms from time to time established for such corporations by the interstate commerce commission, but nothing herein contained shall affect the power of the commission to prescribe forms of accounts, records and memoranda covering information in addition to that required by the interstate commerce commission. The commission may, after hearing had upon its own motion or upon complaint, prescribe by order the accounts in which particular outlays and receipts shall be entered, charged or credited. Where the commission has prescribed the forms of accounts, records or memoranda to be kept by any public utility or railroad for any of its business, it shall thereafter be unlawful for such public utility or railroad to keep any accounts, records or memoranda for such business other than those so prescribed, or those prescribed by or under the authority of any other state or of the United States, excepting such accounts, records or memoranda as shall be explanatory of and supplemental to the accounts, records or memoranda prescribed by the commission. The commission shall at all times have access to all accounts kept by such utilities or railroads and may designate any of its officers or employees to inspect and examine any and all such accounts. It shall be the duty of the auditor or other chief accounting officer of any such utility to keep such accounts and make the reports provided for in section 614-48 of the General Code. Whoever being such auditor, or chief accounting officer violates or fails to comply with the provisions of this section shall upon conviction thereof be subject to the penalties provided for in section 614-65 of the General Code. It shall be the duty of the attorney general to enforce the provisions of this section upon request of the commission, by mandamus or other appropriate proceedings."

The motion was agreed to, and Mr. Snyder, of Hamilton, was appointed such committee, and reported the bill amended as instructed.

Mr. Etling moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 69 change the period to a semi-colon and add "provided that the power granted by this paragraph shall apply only to such municipalities as have adopted or may hereafter adopt a charter by virtue of the provisions of article XVIII of the constitution of Ohio."

In line 15 strike out the words "or utility."

The question was, "Shall the motion of Mr. Etling be agreed to?"

The yeas and nays were demanded, taken and resulted—yeas 50, nays 59, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Clark,	Horwitz,	Snyder,
Appenzeller,	Cowan,	Kessler,	of Hamilton,
Beatty,	Detrick,	Kilrain,	Snyder,
Behne,	Dickson,	King,	of Pickaway,
Black,	Donaldson,	of Ashtabula,	Sweeney,
of Hamilton,	Doster,	Leist,	Terrell,
Black,	Etling,	Lustig,	Venus,
of Wyandot,	Fell,	McGuffey,	Vollmer,
Bour,	Fellinger,	Mills,	Walsh,
Brennan,	Foreman,	Morris,	Warnes,
Brown,	Fulton,	Nungesser,	Welsh,
of Ashland,	Guthery,	Orlikowski,	Wintermute,
Cameron,	Hite,	Orrison,	Winters,
Capelle,	Hoaglin,	Schaefer,	Young—50.

Those who voted in the negative were: Messrs.

Agler,	Criswell,	Kennedy,	Robinson,
Anderson,	of Morrow,	Kilpatrick,	Schweikert,
Barthelmeh,	Deaton,	King, of Franklin,	Scott,
Bigelow,	Diser,	Kramer,	Shanley,
Bishop,	Freeman,	Lambert,	Siebert,
Boggs,	Gilson,	Mueller,	Smith, of Butler,
Bonnell,	Hastings,	Murphy,	Smith, of Morgan,
Brown, of Union,	Hoffman,	Nye,	Tetlow,
Carroll,	Holl,	Pence,	Thatcher,
Chapman,	Hoover,	Plumb,	Thomas,
Colter,	Hunter,	Quinlisk,	vonder Heide,
Conover,	Jackson,	Reid, of Fayette,	White,
Cooper,	Jenkins,	Reighard,	Williams,
Crawford,	Kathe,	Reynolds,	Winans,
Criswell,	Kemerer,	Rhulman,	Woodworth—59.
of Coshocton,			

The motion was disagreed to.

Mr. Snyder, of Hamilton, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 90, after period, insert: "In case any bonds are issued in accordance with section 3949, then the municipality or other person, firm or corporation operating the utility for the acquisition, construction, improvement or equipment of which such bonds have been issued, shall at all times so fix and adjust the rates, income and expenses of the operation of such utility as to meet and pay the interest and sinking fund charges as they mature; and this duty may be enforced by proceedings in mandamus brought on the relation of the city solicitor or any tax payer of the municipality which issued the bonds or any holder of any such bonds."

The motion was disagreed to.

Mr. Reid moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert after the period in line 117 the following: "Provided nothing in this act shall be construed to repeal or modify the provisions of the law commonly known as 'The Smith 1% Act', as set out in the following sections of the General Code, together with any amendments thereto: Sections 7575, 7924 to 7927, inclusive; 7929, 7986, 5649-1, 5649-2, 5649-3a, to 5649-3e, inclusive; 5649-5, 5649-5a, 5649-5b, and 5403-1. And no bonds shall be issued or sold under the provisions of this act in contravention of the provisions of any of the foregoing sections of the General Code last mentioned."

The motion was agreed to, and Mr. Reid was appointed such committee, and reported the bill amended as instructed.

Mr. Kramer moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 69 after the period insert the following: "And any municipality desiring to raise money for so acquiring, constructing, improving or extending any such public utility may issue mortgage bonds therefor beyond the general limit of bonded indebtedness prescribed by law; provided that such mortgage bonds, except bonds issued for the purpose of purchasing, constructing, improving and extending any water works, issued beyond the general limit of bonded indebtedness prescribed by law shall not impose any liability upon such municipality but shall be secured only upon the property and revenues of such public utility, including a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate the same, which franchise shall in no case extend for a longer period than twenty years from the date of the sale of such utility and franchise on foreclosure".

Strike out after (f) all of line 86, lines 87, 88, 89 and 90 and insert in lieu thereof the following: "Bonds issued for the purpose of purchasing, constructing, improving and extending any waterworks when the income from such waterworks is sufficient to cover the cost of all operating expenses, interest charges and to pass a sufficient amount to a sinking fund to retire such bonds when they become due".

The question was, "Shall the motion of Mr. Kramer be agreed to?"

The yeas and nays were demanded, taken and resulted—yeas 69, nays 40, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cooper,	Hoover,	Quinlisk,
Agler,	Crawford,	Hunter,	Reid, of Fayette,
Anderson,	Criswell,	Jackson,	Reighard,
Appenzeller,	of Coshocton,	Jenkins,	Reynolds,
Behne,	Davis,	Kathe,	Rhulman,
Beyer,	Deaton,	Kemerer,	Robinson,
Bishop,	Dickson,	Kennedy,	Scott,
Boggs,	Diser,	Kessler,	Smith, of Butler,
Bonnell,	Ertel,	King, of Franklin,	Smith, of Morgan,
Brown,	Fell,	Kramer,	Thatcher,
of Ashland,	Foreman,	Leist,	Thomas,
Brown, of Union,	Freeman,	McCormick,	vonder Heide,
Cameron,	Fulton,	McGuffey,	White,
Capelle,	Gilson,	Mueller,	Williams,
Carroll,	Guthery,	Murphy,	Winans,
Chapman,	Hastings,	Nungesser,	Winters,
Colter,	Hite,	Pence,	Woodworth—69.
Conover,	Holl,	Plumb,	

Those who voted in the negative were: Messrs.

Barthelmeh,	Criswell,	Lambert,	Snyder,
Beatty,	of Morrow,	Lustig,	of Pickaway,
Bigelow,	Detrick,	Mills,	Sweeney,
Black,	Donaldson,	Nye,	Terrell,
of Hamilton,	Doster,	Orlikowski,	Tetlow,
Black,	Fellinger,	Orrison,	Venus,
of Wyandot,	Hoffman,	Schaefer,	Vollmer,
Bour,	Horwitz,	Schweikert,	Walsh,
Brennan,	Kilpatrick,	Shanley,	Warnes,
Clark,	Kilrain,	Siebert,	Wintermute,
Cowan,	King,	Snyder,	Young—40.
	of Ashtabula,	of Hamilton	

The motion was agreed to, and Mr. Kramer was appointed such committee, and reported the bill amended as instructed.

Mr. Acker demanded the previous question, which was duly seconded. The question was, "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Mills, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 11** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 83, nays 26, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Shanley.
Barthelmeh,	of Morrow,	of Ashtabula,	Siebert,
Beatty,	Davis,	King, of Franklin,	Smith, of Butler,
Behne,	Detrick,	Kramer,	Snyder,
Beyer,	Dickson,	Lambert,	of Hamilton,
Bigelow,	Donaldson,	Leist,	Snyder,
Bishop,	Doster,	Lowry,	of Pickaway,
Black,	Ertel,	Lustig,	Sweeney,
of Hamilton,	Etling,	McGuffey,	Terrell,
Black,	Fell,	Mills,	Tetlow,
of Wyandot,	Fellinger,	Mueller,	Thomas,
Bour,	Foreman,	Nungesser,	Venus,
Brennan,	Guthery,	Nye,	Vollmer,
Brown,	Hite,	Orlikowski,	vonder Heide,
of Ashland,	Hoaglin,	Orrison,	Walsh,
Cameron,	Hoffman,	Pence,	Warnes,
Capelle,	Holl,	Quinlisk,	Welsh,
Carroll,	Horwitz,	Reid, of Fayette,	Williams,
Chapman,	Hunter,	Reighard,	Winans,
Clark,	Kessler,	Reynolds,	Wintermute,
Colter,	Kilpatrick,	Rhulman,	Winters,
Cowan,	Kilrain,	Schaefer,	Young—83.
Crawford,		Schweikert,	

Those who voted in the negative were: Messrs.

Anderson,	Criswell,	Hastings,	Plumb,
Boggs,	of Coshocton,	Hoover,	Robinson,
Bonnell,	Deaton,	Jackson,	Scott,
Brown, of Union,	Diser,	Jenkins,	Smith, of Morgan,
Conover,	Freeman,	Kathe,	Thatcher,
Cooper,	Fulton,	Kemerer,	White,
	Gilson,	McCormick,	Woodworth—26.

The bill was passed.

The title was agreed to.

H. B. No. 24 — Mr. Detrick, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Detrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 24** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 75, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Horwitz,	Reighard,
Anderson,	of Coshocton,	Hunter,	Reynolds,
Barthelmeh,	Criswell,	Jackson,	Rhulman,
Beatty,	of Morrow,	Jenkins,	Robinson,
Behne,	Davis,	Kathe,	Schaefer,
Bigelow,	Deaton,	Kilpatrick,	Scott,
Bishop,	Detrick,	Kilrain,	Shanley,
Boggs,	Dickson,	King,	Smith, of Butler,
Bour,	Donaldson,	of Ashtabula,	Smith, of Morgan,
Brennan,	Doster,	Kramer,	Terrell,
Brown, of Union,	Etling,	Lambert,	Tetlow,
Cameron,	Fell,	Leist,	Thatcher,
Capelle,	Freeman,	Lustig,	Thomas,
Carroll,	Hastings,	McCormick,	Venus,
Clark,	Hite,	Mueller,	vonder Heide,
Colter,	Hoaglin,	Orlikowski,	Warnes,
Conover,	Hoffman,	Orrison,	Welsh,
Cooper,	Holl,	Pence,	Winans,
Crawford,	Hoover,	Plumb,	Woodworth,
		Quinlisk,	Young—75.

Messrs. Appenzeller, Kemerer and Wintermute voted in the negative.

The bill was passed.

The title was agreed to.

H. J. R. No. 7 — Mr. Dickson, was taken up.

On motion of Mr. Dickson, further consideration was indefinitely postponed.

S. J. R. No. 7 — Mr. Lloyd, was taken up.

On motion of Mr. Winans, further consideration was indefinitely postponed.

H. J. R. No. 9 — Mr. Smith of Morgan, was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 63, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Deaton,	Kemerer,	Schaefer,
Barthelmeh,	Detrick,	Kessler,	Schweikert,
Beatty,	Dickson,	Kilpatrick,	Scott,
Behne,	Donaldson,	King,	Shanley,
Boggs,	Doster,	of Ashtabula,	Siebert,
Bonnell,	Fell,	Leist,	Smith, of Morgan,
Bour,	Fellinger,	Lustig,	Sweeney,
Brown, of Union,	Foreman,	McCormick,	Terrell,
Cameron,	Gilson,	McGuffey,	Thatcher,
Carroll,	Hastings,	Mueller,	Thomas,
Conover,	Hite,	Nye,	Venus,
Cooper,	Hoaglin,	Pence,	vonder Heide,
Criswell,	Hoffman,	Quinlisk,	Welsh,
of Coshocton,	Holl,	Reighard,	Wintermute,
Criswell,	Horwitz,	Reynolds,	Winters,
of Morrow,	Jackson,	Robinson,	Woodworth—63.
Davis,	Jenkins,		

The resolution was adopted.

Mr. Reid submitted the following report:

The standing committee on Judiciary, to which was referred **H. B. No. 43** — Mr. Reid, having had the same under consideration, reports it back and recommends its passage.

C. A. REID,
O. E. DISER,
IRWIN F. SNYDER,
STEPHEN M. YOUNG,
J. R. B. KESSLER,

PERCY TETLOW,
CULBERTSON J. SMITH,
W. B. KILPATRICK,
V. J. VONDER HEIDE.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Detrick submitted the following report:

The standing committee on Public Schools, to which was referred **H. B. No. 16** — Mr. Hoaglin, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended:

Strike out all after the enacting clause and substitute the following:

SECTION 1. That sections 3203, 3204, 4763, 4782, 4784, 7582, 7600, 7602, and 7802 of the General Code be amended to read as follows:

Sec. 3203. When, after the payment of just claims and necessary expenses, there is money in the hands of the treasurer arising from the rents of school lands, at least once a year, the trustees shall meet at the office or residence of the treasurer, and make a dividend thereof among the several school districts, or parts of districts within the original township, *on the basis of thirty dollars for each teacher, and the balance according to the average daily attendance in the schools of such districts*, and upon the * * * order of the trustees the treasurer shall pay out such money.

Sec. 3204. The clerk of the board of education of any district which, in whole or in part, is composed of territory within the bounds of an original township incorporated as herein provided, shall, on demand of the clerk of such township, furnish him a certified copy *of the report of the number of teachers employed and the average daily attendance of pupils in the schools* within the bounds of such original township * * * in such school districts, and the dividend shall be made on the basis of such *certified report*.

Sec. 4763. In each city * * * school district, the treasurer of the city * * * funds * * * shall be the treasurer of the school funds. * * * *In all village and rural school districts which do not have legal depositories as provided in sections 7604 to 7608 inclusive, the county treasurer shall be the treasurer of the school funds of such districts.*

Sec. 4782. When a depository has been provided for the school moneys of a district, as authorized by law, the board of education of the district, by resolution adopted by a vote of a majority of its members, * * * *shall* dispense with a treasurer of the school moneys, belonging to such school district. In such case, the clerk of the board of education of a district shall perform all the services, discharge all the duties and be subject to all the obligations required by law of the treasurer of such school districts.

Sec. 4784. If for any reason, a depository in such district ceases to act as custodian of the school moneys, they shall be placed in the custody of the treasurer of the city or county * * * in which the school district is located *as provided in section 4763.* * * * Such moneys shall be held and disbursed by the treasurer in all respects as required by law until another depository is provided for such moneys. Thereupon he shall place such money in the depository and his duties and obligations relating thereto shall then cease.

Sec. 7582. The auditor of state shall apportion the state common school fund to the several counties of the state semi-annually, upon the basis of the enumeration of youth therein, as shown by the latest abstract of enumeration transmitted to him by the * * * *superintendent of public instruction.* Before making his February settlement with county treasurers, he shall apportion such amount thereof as he estimates to have been collected up to that time, and, in the settlement sheet which he transmits to the auditor of each county, shall certify the amount payable to the treasurer of his county. Before making his final settlement with county treasurers each year he shall apportion the remainder of the whole fund collected, as nearly as it can be ascertained, and in the August settlement sheet which he transmits to the auditor of each county shall certify the amount payable to the treasurer of his county.

Sec. 7600. After each annual settlement with the county treasurer, each county auditor shall immediately apportion * * * school funds for his county. The state common school funds * * * *shall* be apportioned as follows:

Each school district within the county shall receive thirty dollars for each teacher employed in such district, and the balance of such funds shall be apportioned among the various school districts according to the average daily attendance of pupils in the schools of such districts. * * * If an enumeration of the youth of any district has not been taken and returned for any year *and the average daily attendance of such district has not been certified to the county auditor* such district shall not be entitled to receive any portion of *that* * * * fund. The local school tax collected from the several districts * * * *shall* be paid to the districts from which it was collected. Money received from the state on account of interest on the common school fund shall be apportioned to the school districts and parts of districts * * * *within the territory designated by the auditor of state as entitled thereto* * * * *on the basis of thirty dollars for each teacher employed and the balance according to the average daily attendance.* All other money in the county treasury for the support of common schools and not otherwise appropriated by law, shall be apportioned annually in the same manner as the state common school fund.

Sec. 7602. When an original surveyed township or fractional township is situated in two or more counties, and the land granted thereto by congress for the support of public schools has been sold, the auditor of the county to whose treasurer the interest on the proceeds of such sale is paid must apportion such interest to the counties in which such township is situated in proportion to the youth of the township enumerated in each. Such auditor shall certify to the auditor of each of the other counties the amount so ascertained to belong to the part of the township situated in his county, and transmit to the treasurer of each of such counties an order on the treasurer of his own county for such amount. The auditor of each county shall apportion the amount of such

interest belonging to the part of the township in his county, to the districts or parts of districts entitled thereto * * * *as is provided for the apportionment of the state common school funds in section 7600*, and certify and pay it to the proper school officers, as provided in * * * *section 7601*.

Sec. 7802. If an enumeration of the youth of a district be not taken and returned in any year, such district shall not be entitled to receive any part of the school funds distributable in that year. * * * If such loss to a district occurs through the failure of the clerk of the board of education of a district to perform the duty required of him under section seventy-seven hundred and ninety-nine, he shall be liable to the district for the loss, which may be recovered in an action in the name of the state. The money so recovered shall be paid into the county treasury, and apportioned as the school funds so lost would have been apportioned.

SECTION 2. That original sections 3203, 3204, 4763, 4782, 4784, 7582, 7600, 7602 and 7802 of the General Code be and the same are hereby repealed.

GEO. M. HOAGLIN,
GEO. M. MORRIS,
GUY DETRICK,
JOHN H. LOWRY,
FRED BARTHELMEH,
JOHN J. SHANLEY, Sr.,

VAN S. DEATON,
J. V. WINANS,
GEO. S. CRAWFORD,
G. G. O. PENCE,
J. CHAS. CRISWELL.

The amendment was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **S. B. No. 12**—Mr. Friebolin, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended.

Strike out all of lines 31 and 32.

GEO. M. HOAGLIN,
GEO. M. MORRIS,
GUY DETRICK,
JOHN H. LOWRY,
FRED BARTHELMEH,

JOHN J. SHANLEY, Sr.,
VAN S. DEATON,
GEO. S. CRAWFORD,
G. G. O. PENCE,
J. CHAS. CRISWELL.

The amen'ment was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Boggs submitted the following report:

The standing committee on Appropriations and Finance, to which was referred **H. B. No. 40**—Mr. Orrison, having had the same under consideration, reports it back and recommends its passage.

JOHN COWAN,
H. FELLINGER,
E. N. BOGGS,
JAMES R. CLARK,
HARRY N. DONALDSON,

GEO. M. MORRIS,
I. S. GUTHERY,
R. R. REYNOLDS,
A. BEYER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Jenkins offered a resolution and Mr. vonder Heide raised a point of order against the introduction of same.

The speaker sustained the point of order and declared the resolution out of order.

The speaker granted leave of absence to Messrs. Stivers, Duffey and Reppert.

On motion of Mr. Boggs, the House recessed until Wednesday at 10:00 o'clock a. m.

Hall of the House of Representatives, Columbus, Ohio,

Wednesday, February 4, 1914, 10:00 o'clock A. M.

The House met pursuant to recess.

Prayer was offered by the Reverend D. J. Starr of Columbus.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the President of the Senate has appointed on the committee of Conference on **H. J. R. No. 2**—Mr. Smith, of Butler, Mr. Gregory, Mr. Wise, Mr. Kiser.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has reconsidered the vote by which it concurred in the amendments of committee of conference on **H. B. No. 2**—Mr. Welsh, and has disagreed to conference committee report.

Attest:

W. V. GOSHORN,
Clerk.

S. B. No. 9—Mr. Hudson, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Hoaglin, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 9** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 75, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bishop,	Capelle,	Criswell,
Anderson,	Black,	Chapman,	of Morrow,
Appenzeller,	of Hamilton,	Clark,	Davis,
Barthelmeh,	Boggs,	Conover,	Detrick,
Beatty,	Bonnell,	Criswell,	Dickson,
Beyer,	Bour,	of Coshocton,	Doster,
Bigelow,	Brown, of Union,		Fell,

Those who voted in the affirmative were: Messrs — Concluded.

Freeman,	King,	Quinlisk,	Snyder,
Hastings,	of Ashtabula,	Reighard,	of Pickaway,
Hite,	King, of Franklin,	Reppert,	Terrell,
Hoaglin,	Lambert,	Reynolds,	Thatcher,
Hoffman,	Lowry,	Rhulman,	Thomas,
Holl,	Lustig,	Schaefer,	Vollmer,
Hoover,	McCormick,	Schweikert,	vonder Heide,
Horwitz,	Morris,	Shanley,	Walsh,
Hunter,	Mueller,	Siebert,	White,
Kemerer,	Nungesser,	Smith, of Butler,	Winans,
Kennedy,	Pence,	Smith, of Morgan,	Wintermute,
Kessler,	Plank,	Snyder,	Winters,
Kilpatrick,	Plumb,	of Hamilton	Woodworth,
Kilrain,			Young—75

Mr. Brennan voted in the negative.

The bill was passed.

The title was agreed to.

Mr. Lowry moved that the rule requiring bills after being reported back from committees to be placed on the calendar for second reading for the second day following, be suspended and bills on the calendar for second reading Thursday be taken up.

The motion was agreed to.

H. B. No. 38 — Mr. Hastings, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Acker moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 20 and 21, eliminate "occurring in March, April and July, 1913."

Mr. Black, of Hamilton, raised a point of order that the amendment was not germane to the bill or to the call of the Governor.

By leave of the House, Mr. Acker withdrew the motion.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Hastings, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 38** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 97, nays none, as follows:

Those who voted in the affirmative were. Messrs.

Acker,	Bonnell,	Davis,	Hunter,
Anderson,	Bour,	Detrick,	Kathe,
Appenzeller,	Brennan,	Dickson,	Kemerer,
Barthelmeh,	Brown, of Union,	Doster,	Kennedy,
Beatty,	Cameron,	Fell,	Kessler,
Behne,	Capelle,	Foreman,	Kilpatrick,
Beyer,	Carroll,	Freeman,	Kilrain,
Bigelow,	Conover,	Fulton,	King,
Bishop,	Cooper,	Hastings,	of Ashtabula,
Black,	Crawford,	Hoaglin,	King, of Franklin,
of Hamilton,	Criswell,	Hoffman,	Lambert,
Black,	of Coshocton,	Holl,	Leist,
of Wyandot,	Criswell,	Hoover,	Lowry,
Boggs,	of Morrow,	Horwitz,	Lustig,

Those who voted in the affirmative were: Messrs — Concluded.

McCormick,	Quinlisk,	Smith, of Butler,	Vollmer,
McGuffey,	Reid, of Fayette,	Smith, of Morgan,	vonder Heide,
Mills,	Reighard,	Snyder,	Walsh,
Morris,	Reppert,	of Hamilton	Warnes,
Mueller,	Reynolds,	Snyder,	Welsh,
Murphy,	Rhulman,	of Pickaway,	White,
Nungesser,	Robinson,	Sweeney,	Williams,
Nye,	Schaefer,	Terrell,	Winans,
Orlikowski,	Schweikert,	Tetlow,	Wintermute,
Pence,	Scott,	Thatcher,	Winters,
Plank,	Shanley,	Thomas,	Woodworth,
Plumb,	Siebert,	Venus,	Young—97.

The bill was passed.

And thereupon, by direction of the speaker, upon section 3, being the emergency section, the yeas and nays were taken, and resulted — yeas 84, nays 7, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Horwitz,	Reppert,
Anderson,	of Coshocton,	Hunter,	Reynolds,
Appenzeller,	Criswell,	Jenkins,	Robinson,
Barthelmeh,	of Morrow,	Kathe,	Schweikert,
Beatty,	Davis,	Kemerer,	Scott,
Beyer,	Deaton,	Kennedy,	Shanley,
Bigelow,	Detrick,	Kessler,	Siebert,
Bishop,	Dickson,	King,	Smith, of Butler,
Boggs,	Diser,	of Ashtabula,	Smith, of Morgan,
Bonnell,	Doster,	King, of Franklin,	Snyder,
Bour,	Ertel,	Lambert,	of Hamilton
Brennan,	Fell,	Lowry,	Snyder,
Brown,	Foreman,	McCormick,	of Pickaway,
of Ashland,	Freeman,	McGuffey,	Thatcher,
Brown, of Union,	Fulton,	Morris,	Thomas,
Cameron,	Gilson,	Murphy,	Venus,
Capelle,	Hastings,	Nungesser,	vonder Heide,
Carroll,	Hite,	Pence,	Warnes,
Chapman,	Hoaglin,	Plank,	Welsh,
Conover,	Hoffman,	Plumb,	Winans,
Cooper,	Holl,	Quinlisk,	Wintermute,
Crawford,	Hoover,	Reid, of Fayette,	Winters,
		Reighard,	Woodworth—84.

Messrs. Lustig, Mills, Mueller, Nye, Orlikowski, Schaefer and Young voted in the negative.

The emergency section was adopted.

The title of the bill was agreed to.

H. B. No. 37 — Mr. Welsh, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Welsh, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 37** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 88, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilrain,	Schaefer,
Anderson,	of Morrow,	King,	Schweikert,
Appenzeller,	Davis,	of Ashtabula,	Shanley,
Barthelmeh,	Deaton,	King, of Franklin,	Siebert,
Beatty,	Dickson,	Lambert,	Smith, of Butler,
Beyer,	Diser,	Leist,	Snyder,
Bigelow,	Doster,	Lowry,	of Pickaway,
Bishop,	Fell,	Lustig,	Sweeney,
Black,	Foreman,	McCormick,	Terrell,
of Hamilton,	Freeman,	Morris,	Tetlow,
Boggs,	Fulton,	Mueller,	Thatcher,
Bonnell,	Gilson,	Murphy,	Thomas,
Bour,	Hastings,	Nungesser,	Venus,
Brennan,	Hoaglin,	Orlikowski,	Vollmer,
Brown,	Hoffman,	Pence,	vonder Heide,
of Ashland,	Holl,	Plank,	Walsh,
Brown, of Union,	Hoover,	Plumb,	Warnes,
Cameron,	Horwitz,	Quinlisk,	Welsh,
Capelle,	Hunter,	Reid, of Fayette,	White,
Conover,	Jenkins,	Reighard,	Winans,
Cooper,	Kathe,	Reppert,	Wintermute,
Crawford,	Kemerer,	Reynolds,	Winters,
Criswell,	Kennedy,	Rhulman,	Young—88.
of Coshocton,	Kessler,		

The bill was passed.

Mr. Welsh moved to refer the bill to a select committee of one, with instructions to add an emergency section as follows:

SECTION 3. This act is hereby declared to be an emergency act necessary for the immediate preservation of public peace, health and safety. Such necessity arises from the fact that at the present time many residents and citizens in the neighborhood of the rivers flowing into Lake Erie are dependent for their livelihood upon the fishing industry which can only be followed in the spring and fall seasons of the year; and if the foregoing law be not given immediate effect it will prevent said citizens and residents from pursuing their aforesaid means of livelihood in the spring season of 1914, and thereby cause them great hardship and suffering, and interfering with their peace, health and safety.

The question was, "Shall the motion of Mr. Welsh be agreed to?"

Mr. Young raised a point of order that the bill having been passed by the House was not within the further jurisdiction of the House.

The speaker declared the point not well taken.

The question recurred, "Shall the motion of Mr. Welsh be agreed to?"

The motion was agreed to, and Mr. Welsh was appointed such committee, and reported the bill amended as instructed.

And thereupon, by direction of the speaker, upon section 3, being the emergency section, the yeas and nays were taken, and resulted—yeas 67, nays 17, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bour,	Criswell,	Ertel,
Barthelmeh,	Brown,	of Coshocton,	Fell,
Beatty,	of Ashland,	Criswell,	Foreman,
Bishop,	Brown, of Union,	of Morrow,	Fulton,
Black,	Cameron,	Detrick,	Gilson,
of Hamilton,	Capelle,	Dickson,	Hastings,
Boggs,	Carroll,	Diser,	Hoaglin,

Those who voted in the affirmative were: Messrs — Concluded.

Hoffman,	Lambert,	Reppert,	Sweeney,
Holl,	Lowry,	Reynolds,	Tetlow,
Hoover,	McCormick,	Schaefer,	Thatcher,
Horwitz,	McGuffey,	Schweikert,	Thomas,
Kathe,	Morris,	Scott,	Venus,
Kemerer,	Murphy,	Shanley,	Walsh,
Kennedy,	Nungesser,	Siebert,	Welsh,
Kessler,	Pence,	Smith, of Butler,	Winans,
Kilpatrick,	Plumb,	Smith, of Morgan,	Wintermute,
King,	Quinlisk,	Snyder,	Winters,
of Ashtabula,	Reid, of Fayette,	of Pickaway,	Woodworth—68.
King, of Franklin,			

Those who voted in the negative were: Messrs.

Anderson,	Davis,	Lustig,	Orlikowski
Beyer,	Doster,	Mills,	Reighard,
Bigelow,	Freeman,	Mueller,	Vollmer,
Cooper,	Hunter,	Nye,	Young—17.
Crawford,			

The emergency section not having received a constitutional majority, was lost.

The title of the bill was agreed to.

H. B. No. 36 — Mr. Hoaglin, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Hoaglin, the rule requiring bills to be referred to the Committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 36** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 80, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Lambert,	Scott,
Anderson,	Deaton,	Lowry,	Shanley,
Appenzeller,	Detrick,	Lustig,	Siebert,
Beatty,	Dickson,	McCormick,	Smith, of Butler,
Beyer,	Doster,	Mills,	Smith, of Morgan,
Bigelow,	Fell,	Morris,	Snyder,
Bishop,	Foreman,	Mueller,	of Hamilton,
Black,	Hite,	Murphy,	Snyder,
of Hamilton,	Hoaglin,	Nungesser,	of Pickaway,
Boggs,	Hoffman,	Orlikowski	Sweeney,
Bonnell,	Holl,	Pence,	Terrell,
Bour,	Hoover,	Plank,	Tetlow,
Brennan,	Horwitz,	Plumb,	Thomas,
Brown, of Union,	Hunter,	Quinlisk,	Venus,
Cameron,	Kathe,	Reid, of Fayette,	vonder Heide,
Capelle,	Kennedy,	Reighard,	Warnes,
Carroll,	Kessler,	Reppert,	Winans,
Clark,	Kilpatrick,	Reynolds,	Wintermute,
Conover,	Kilrain,	Robinson,	Winters,
Crawford,	King,	Schaefer,	Woodworth,
Criswell,	of Ashtabula,	Schweikert,	Young—80.
of Coshacton,			

The bill was passed.

The title was agreed to.

S. B. No. 3 — Mr. Green, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Boggs moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 2, strike out the words "on and after the first day of October, 1914."

Change the letter "e" in the word "every" to a capital.

The motion was agreed to, and Mr. Boggs was appointed such committee, and reported the bill amended as instructed.

Mr. Clark moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 42 after the word "Device" insert the following: "unless agreed to by such employers and miners or loaders."

The motion was disagreed to.

Mr. Chapman demanded a call of the House, which was duly seconded, taken and 112 members answered to their names:

Those absent were: Messrs. Agler, Brown, of Ashland; Duffey, McCormick, Reid and Stivers.

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Snyder, of Pickaway, further proceedings under the call were dispensed with.

The question recurred, "Shall **S. B. No. 3** — Mr. Green, be read the third time?"

Mr. Boggs moved to refer the bill to a select committee of one, with instructions to amend as follows: In lines 11 and 12 strike out after Sec. 2, all of lines 11 and 12 to the word "said"

Change the letter "s" in "said" to capital

In line 16 strike out after section 3, all of the words down to the word "it"

Capitalize the letter "i" in "it"

In line 33, after section 4, strike out all of line to the word "said"

Change the letter "s" in "said" to capital

In line 35, strike out the words "prior to said date" and insert "heretofore"

In line 41, strike out "described in section one of this act" strike out the comma (,).

The motion was agreed to, and Mr. Boggs was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Tetlow, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with, and **S. B. No. 3** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 103, nays 8, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Kilrain,	Schweikert,
Appenzeller,	Deaton,	King,	Scott,
Barthelmeh,	Detrick,	of Ashtabula,	Shanley,
Beatty,	Diser,	King, of Franklin,	Siebert,
Beyer,	Donaldson,	Kramer,	Smith, of Butler,
Bigelow,	Doster,	Lambert,	Smith, of Morgan,
Bishop,	Ertel,	Leist,	Snyder,
Black,	Etling,	Lowry,	of Hamilton,
of Hamilton,	Fell,	Lustig,	Snyder,
Black,	Fellinger,	McGuffey,	of Pickaway,
of Wyandot,	Foreman,	Mills,	Sweeney,
Boggs,	Freeman,	Morris,	Terrell,
Bonnell,	Fulton,	Mueller,	Tetlow,
Bour,	Gilson,	Murphy,	Thomas,
Brennan,	Guthery,	Nungesser,	Venus,
Brown, of Union,	Hastings,	Nye,	Vollmer,
Cameron,	Hite,	Orlikowski,	vonder Heide,
Carroll,	Hoaglin,	Orrison,	Walsh,
Chapman,	Hoffman,	Pence,	Warnes,
Clark,	Holl,	Plank,	Welsh,
Colter,	Hoover,	Plumb,	White,
Conover,	Horwitz,	Quinlisk,	Williams,
Cooper,	Jackson,	Reppert,	Winans,
Cowan,	Jenkins,	Reynolds,	Wintermute,
Criswell,	Kemerer,	Rhulman,	Winters,
of Coshocton,	Kennedy,	Robinson,	Woodworth,
Criswell,	Kessler,	Schaefer,	Young—103.
of Morrow,	Kilpatrick,		

Those who voted in the negative were: Messrs.

Anderson,	Crawford,	Kathe,	Reighard,
Capelle,	Hunter,	Reid, of Fayette,	Thatcher—8.

The bill was passed.

The title was agreed to.

Mr. Welsh moved that the House ask for a further committee of conference on **H. B. No. 2**—Mr. Welsh.

The motion was agreed to and the speaker appointed as managers on the part of the House: Messrs. Welsh, Criswell, of Morrow, and Cowan.

H. B. No. 43—Mr. Reid, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Reid, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 43** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 88, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bishop,	Brown, of Union,	Criswell,
Anderson,	Black,	Cameron,	of Morrow,
Appenzeller,	of Hamilton,	Carroll,	Davis,
Barthelmeh,	Boggs,	Conover,	Deaton,
Beatty,	Bonnell,	Crawford,	Detrick,
Beyer,	Bour,	Criswell,	Donaldson,
Bigelow,	Brennan,	of Coshocton,	Doster,

Those who voted in the affirmative were: Messrs—Concluded.

Ertel,	Kathe,	Pence,	Terrell,
Fell,	Kemerer,	Plank,	Tetlow,
Fellinger,	Kessler,	Plumb,	Thatcher,
Foreman,	Kilpatrick,	Quinlisk,	Thomas,
Freeman,	Kilrain,	Reid, of Fayette,	Venus,
Guthery,	King,	Reighard,	Vollmer,
Hastings,	of Ashtabula,	Reynolds,	Walsh,
Hite,	King, of Franklin,	Rhulman,	Warnes,
Hoaglin,	Lambert,	Robinson,	Welsh,
Hoffman,	Lustig,	Schaefer,	White,
Holl,	McCormick,	Schweikert,	Williams,
Hoover,	McGuffey,	Scott,	Winans,
Horwitz,	Mueller,	Shanley,	Wintermute,
Hunter,	Murphy,	Siebert,	Winters,
Jackson,	Nungesser,	Smith, of Morgan,	Woodworth,
Jenkins,	Nye,	Sweeney,	Young—70.

Mr. Capelle voted in the negative.

The bill was passed.

The title was agreed to.

S. B. No. 12—Mr. Friebolin, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Young, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 12** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 70, nays 27, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Hoover,	Schaefer,
Barthelmeh,	Crawford,	Horwitz,	Schweikert,
Beatty,	Criswell,	Kennedy,	Shanley,
Behne,	of Coshocton,	Kessler,	Siebert,
Beyer,	Criswell,	Kilpatrick,	Smith, of Butler,
Bigelow,	of Morrow,	King,	Sweeney,
Bishop,	Detrick,	of Ashtabula,	Terrell,
Black,	Dickson,	Lambert,	Tetlow,
of Hamilton,	Diser,	Leist,	Thomas,
Black,	Donaldson,	Lowry,	Venus,
of Wyandot,	Doster,	Lustig,	Vollmer,
Boggs,	Ertel,	Mills,	vonder Heide,
Bour,	Fell,	Morris,	Walsh,
Brennan,	Fellinger,	Mueller,	Welsh,
Cameron,	Foreman,	Murphy,	White,
Capelle,	Hastings,	Nye,	Winters,
Carroll,	Hoaglin,	Orlikowski,	Woodworth,
Chapman,	Hoffman,	Orrison,	Young—70.
Clark,	Holl,	Robinson,	

Those who voted in the negative were: Messrs.

Anderson,	Gilson,	McCormick,	Reid, of Fayette,
Appenzeller,	Guthery,	McGuffey,	Reighard,
Brown, of Union,	Hunter,	Nungesser,	Scott,
Conover,	Jenkins,	Pence,	Smith, of Morgan,
Cooper,	Kathe,	Plank,	Snyder,
Davis,	Kemerer,	Plumb,	of Pickaway,
Freeman,	King, of Franklin,	Quinlisk,	Wintermute—27.

The bill was passed.

The title was agreed to.

Mr. Kilpatrick submitted the following report:

The standing committee on Judiciary, to which was referred **H. B. No. 41**—Mr. Kilpatrick, having had the same under consideration, reports it back and recommends its passage.

W. B. KILPATRICK,
CULBERTSON J. SMITH,
STEPHEN M. YOUNG,
IRVIN F. SNYDER,
V. J. VONDER HEIDE,

J. CHAS. CRISWELL,
PERCY TETLOW,
C. A. REID,
OSCAR E. DISER.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Morris submitted the following report:

The standing committee on Appropriations and Finance, to which was referred **H. B. No. 31**—Mr. Leist, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended:

In line 5 strike out "\$100,000" and insert "\$85,000."

JOHN COWAN,
GEO. LEIST,
I. S. GUTHERY,
H. FELLINGER,
M. J. JENKINS,

R. R. KENNEDY,
R. R. REYNOLDS,
T. A. BONNELL,
J. V. WINANS,
GEO. M. NORRIS.

The amendment was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Black, of Hamilton, submitted the following report:

The standing committee on Cities, to which was referred **H. B. No. 42**—Mr. Bour, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

Strike out lines 6, 7, 8, 9, and 10.

In line 13, strike out the word "therefore" and insert the word "and"

After line 13, insert:

"WHEREAS, An adjustment of the distribution of income of the municipalities cannot be effected without due consideration of the sources of public income of the state and the various political subdivisions thereof other than the cities, and

"WHEREAS, If possible without limiting the present functions of the state, such adjustment of the sources of public income of the state and the political subdivisions thereof, is desirable as will result in deriving the funds expended by the state from indirect taxation and in confining the funds raised by direct taxation to public expenditures in the political subdivisions in which such taxes are imposed, therefore

In line 16, after the words "governor to" strike out rest of line and insert: "make a survey of the sources of the public income received by

the state and the various political subdivisions thereof for the purpose of ascertaining if a more equitable distribution thereof may be practical."

In line 17, strike out "of Ohio."

ROBERT BLACK,
DON P. MILLS
H. S. BIGELOW,
C. P. VENUS,

JAS. T. CARROLL,
W. T. COLTER
JOHN R. KING.

The amendments were agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

On motion of Mr. Lustig, the House adjourned at 11:55 o'clock a. m.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Wednesday, February 4, 1914, 1:30 o'clock P. M.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

H. B. No. 40—Mr. Orrison, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Warnes demanded the previous question, which was duly seconded.

The question was, "Shall the debate now close?"

The motion was disagreed to.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Orrison, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 40** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken and resulted—yeas 66, nays 33, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Conover,	Kilrain,	Schweikert,
Barthelmeh,	Cooper,	King, of Franklin,	Shanley,
Beatty,	Cowan,	Leist,	Siebert,
Behne,	Davis,	Lowry,	Smith, of Butler,
Beyer,	Detrick,	Lustig,	Snyder,
Bigelow,	Dickson,	Mills,	of Hamilton,
Bishop,	Diser,	Morris,	Sweeney,
Black,	Doster,	Mueller,	Tetlow,
of Hamilton,	Ertel,	Nye,	Thomas,
Boggs,	Fell,	Orlikowski	Vollmer,
Bour,	Fellinger,	Orrison,	Walsh,
Brennan,	Freeman,	Plumb,	Warnes,
Brown, of Union,	Hoaglin,	Quinlisk,	Welsh,
Cameron,	Hoffman,	Reynolds,	White,
Carroll,	Horwitz,	Rhulman,	Winters,
Chapman,	Kessler,	Robinson,	Woodworth,
Clark,	Kilpatrick,	Schaefer,	Young—66.

Those who voted in the negative were: Messrs.

Anderson,	Criswell,	Jenkins,	Reid, of Fayette,
Appenzeller,	of Coshocton,	Kathe,	Reighard,
Black,	Deaton,	Kemerer,	Scott,
of Wyandot,	Donaldson,	Kennedy,	Smith, of Morgan,
Bonnell,	Foreman,	King,	Snyder,
Brown,	Hastings,	of Ashtabula,	of Pickaway,
of Ashland,	Holl,	Murphy,	Venus,
Capelle,	Hoover,	Nungesser,	Winans,
Crawford,	Hunter,	Pence,	Wintermute—33.
	Jackson,	Plank,	

The bill was passed.

The title was agreed to .

S. B. No. 13 — Mr. Weygandt, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Nungesser moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 11, strike out the word "nine" and in lieu thereof insert "twelve".

The motion was agreed to, and Mr. Nungesser was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Bour, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 13** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 107, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	Kathe,	Reppert,
Anderson,	Criswell,	Kemerer,	Reynolds,
Appenzeller,	of Coshocton,	Kennedy,	Rhulman,
Barthelmeh,	Criswell,	Kessler,	Robinson,
Beatty,	of Morrow,	Kilpatrick,	Schaefer,
Behne,	Davis,	Kilrain,	Schweikert,
Beyer,	Deaton,	King,	Scott,
Bigelow,	Detrick,	of Ashtabula,	Shanley,
Bishop,	Dickson,	King, of Franklin,	Smith, of Butler,
Black,	Diser,	Lambert,	Smith, of Morgan,
of Hamilton,	Donaldson,	Leist,	Snyder,
Black,	Doster,	Lowry,	of Hamilton,
of Wyandot,	Ertel,	Lustig,	Snyder,
Boggs,	Fell,	McCormick,	of Pickaway,
Bonnell,	Fellinger,	McGuffey,	Sweeney,
Bour,	Foreman,	Mills,	Terrell,
Brennan,	Freeman,	Morris,	Tetlow,
Brown,	Gilson,	Mueller,	Thatcher,
of Ashland,	Guthery,	Murphy,	Thomas,
Brown, of Union,	Hastings,	Nungesser,	Venus,
Cameron,	Hite,	Nye,	Vollmer,
Capelle,	Hoaglin,	Orlikowski,	vonder Heide,
Carroll,	Hoffman,	Orrison,	Walsh,
Chapman,	Holl,	Pence,	Welsh,
Clark,	Hoover,	Plank,	Winans,
Colter,	Horwitz,	Plumb,	Wintermute,
Conover,	Hunter,	Quinlisk,	Winters,
Cooper,	Jackson,	Reid, of Fayette,	Woodworth,
	Jenkins,	Reighard,	Young—107.

The bill was passed
The title was agreed to.

S. B. No. 19 — Mr. Hopple, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Hoaglin moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 12 before the word "provided" insert the following: "but such certificate may be granted to any child, male or female, who has completed the eighth grade in any elementary school, upon satisfactory proof that such child is over fourteen years of age,"

Mr. Warnes raised a point of order that the matter contained was not within the purview of the call of the Governor.

The speaker sustained the point of order and declared the amendment out of order.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Hoaglin, the rule requiring bills to be referred to the committee on Phraseology, and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 19** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 86, nays 5, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Kilrain,	Schweikert,
Barthelmeh,	Deaton,	King,	Shanley,
Beatty,	Detrick,	of Ashtabula,	Smith, of Butler,
Behne,	Diser,	King, of Franklin,	Smith, of Morgan,
Beyer,	Donaldson,	Lambert,	Snyder,
Bigelow,	Doster,	Leist,	of Hamilton,
Black,	Ertel,	Lowry,	Snyder,
of Wyandot,	Fell,	Lustig,	of Pickaway,
Boggs,	Freeman,	Morris,	Terrell,
Bonnell,	Hastings,	Mueller,	Thatcher,
Bour,	Hoaglin,	Nungesser,	Thomas,
Brennan,	Hoffman,	Orlikowski	Venus,
Brown,	Holl,	Orrison,	Vollmer,
of Ashland,	Hoover,	Pence,	Walsh,
Brown, of Union,	Horwitz,	Plank,	Warnes,
Cameron,	Hunter,	Plumb,	Welsh,
Capelle,	Jackson,	Quinlisk,	White,
Carroll,	Jenkins,	Reid, of Fayette,	Winans,
Chapman,	Kathe,	Reighard,	Wintermute,
Conover,	Kemerer,	Reynolds,	Winters,
Cooper,	Kennedy,	Rhulman,	Woodworth,
Cowan,	Kessler,	Robinson,	Young—86.
Criswell,	Kilpatrick,	Schaefer,	
of Morrow,			

Messrs. Anderson, Appenzeller, Crawford, McGuffey and Nye voted in the negative.

The bill was passed.
The title was agreed to.

H. B. No. 16 — Mr. Hoaglin, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Winans moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 21 strike out the word "have" and insert in lieu thereof the word "provide".

In line 47 add "ed" to the word "ascertain".

The motion was agreed to, and Mr. Winans was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Hoaglin, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 16** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 81, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Jackson,	Rhulman,
Anderson,	of Coshocton,	Kathe,	Robinson,
Barthelmeh,	Criswell,	Kessler,	Schaefer,
Beatty,	of Morrow,	King,	Schweikert,
Behne,	Davis,	of Ashtabula,	Shanley,
Beyer,	Deaton,	King, of Franklin,	Smith, of Butler,
Bigelow,	Detrick,	Lambert,	Smith, of Morgan,
Bishop,	Dickson,	Leist,	Sweeney,
Black,	Donaldson,	Lowry,	Terrell,
of Hamilton,	Doster,	Lustig,	Thatcher,
Black,	Ertel,	McGuffey,	Thomas,
of Wyandot,	Etling,	Morris,	Venus,
Boggs,	Fell,	Murphy,	Vollmer,
Bonnell,	Fellinger,	Nungesser,	Walsh,
Bour,	Hastings,	Orlikowski,	Warnes,
Brennan,	Hite,	Pence,	Welsh,
Brown,	Hoaglin,	Plank,	White,
of Ashland,	Hoffman,	Plumb,	Winans,
Brown, of Union,	Holl,	Quinlisk,	Wintermute,
Cameron,	Hoover,	Reid, of Fayette,	Woodworth,
Capelle,	Horwitz,	Reighard,	Young—81.
Carroll,	Hunter,	Reynolds,	

The bill was passed.

Mr. Hoaglin moved to amend the title to read as follows: "To amend sections 3203, 3204, 4763, 4782, 4784, 7582, 7600, 7602, and 7802 of the General Code relating to school district funds."

The motion was agreed to.

The title as amended was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate accedes to the request of the House of Representatives for another committee of conference on H. B. No. 2 — Mr. Welsh, and appoints on that committee Messrs. Potting, Dollison and McDermott.

Attest:

W. V. GOSHORN,
Clerk.

By unanimous consent, Mr. Welsh submitted the following report:
The committee of conference to which were referred the matters of difference between the two houses on **H. B. No. 2**—Mr. Welsh, having had the same under consideration, does recommend to the respective houses as follows:

In line 8 insert the following: "superintendent of public instruction, 5000 copies".

In line 10 strike out "2000" and insert "800".

In line 22 strike out "200" and insert "400".

In line 31 strike out "50" and insert "100".

In line 34 strike out "50" and insert "200".

In line 34 after the period (.) at the end of the line insert the following: "All maps to be delivered to the General Assembly on request of the Secretary of State".

SMITH L. WELSH,
JOHN COWAN,
D. M. CRISWELL,

Managers on the part of the House of Representatives.

WILLIAM F. POTTING,
JNO. L. McDERMOTT,
J. B. DOLLISON,

Managers on the part of the Senate.

The question was, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken, and resulted—yeas 75, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Carroll,	Hunter,	Reighard,
Appenzeller,	Clark,	Jackson,	Reynolds,
Barthelmeh,	Colter,	Kathe,	Rhulman,
Beatty,	Cowan,	Kessler,	Robinson,
Behne,	Crawford,	King,	Schaefer,
Beyer,	Criswell,	of Ashtabula,	Schweikert,
Bigelow,	of Coshocton,	King, of Franklin,	Shanley,
Bishop,	Criswell,	Lambert,	Smith, of Morgan,
Black,	of Morrow,	Leist,	Snyder,
of Hamilton,	Davis,	Lowry,	of Hamilton,
Black,	Deaton,	Lustig,	Sweeney,
of Wyandot,	Detrick,	McGuffey,	Tetlow,
Boggs,	Dickson,	Mueller,	Thatcher,
Bonnell,	Donaldson,	Murphy,	Thomas,
Bour,	Doster,	Nungesser,	Warnes,
Brennan,	Hastings,	Orrison,	Welsh,
Brown,	Hite,	Pence,	Winans,
of Ashland,	Hoffman,	Plumb,	Wintermute,
Brown, of Union,	Holl,	Quinlisk,	Winters,
Cameron,	Hoover,	Reid, of Fayette,	Young—75.
Capelle,	Horwitz,		

Messrs Freeman and Kemerer voted in the negative.

The report of the committee of conference was agreed to.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

February 4, 1914.

To the General Assembly:

The following subjects are respectfully submitted for the consideration of your honorable body:

The Supreme Court has rendered a decision with reference to the acts creating and providing for the administration of the blind pension fund. It will be recalled that the law passed at the last session was designed to provide for the objections of the lower court, as stated in the case of the old law. The lower court, however, has been reversed so that the original blind pension act is retained. As the result of prolonged litigation in the courts and the action of the county budget commissions before the referendum period had elapsed on the blind bill passed last session, no levy was made for the year 1914. It is needless for me to call your attention to the pitiable condition of the blind. Every consideration of humanity imposes upon society and government the duty of rendering to them some assistance. It is the recommendation of this department that an enabling act be passed permitting any county, if it so desires, to transfer, during the emergency period, monies from any fund into the blind relief fund.

The referendum period had elapsed before any county could make a levy for the purpose of carrying into effect the Mothers' Pension Law. It would seem to be the part of wisdom for your honorable body to give to any county, during the emergency period, the authority to transfer monies from any fund to the juvenile court for the purpose of giving aid to those who come within the meaning of this act.

JAMES M. COX,
Governor.

Mr. Lowry moved that the several subjects referred to in the Governor's message be referred at once to the proper committees.

The motion was agreed to and the matters were referred as follows:

Blind Pension Fund. To the committee on Benevolent and Penal Institutions.

Transfer of Funds. To the committee on County Affairs.

The following bills were introduced and read the first time:

H. B. No. 44 — Mr. Deaton.

To authorize county commissioners to transfer funds for the purpose of paying orders for blind relief.

H. B. No. 45 — Mr. Horwitz.

To authorize the county commissioners of any county to transfer funds for the purpose of providing a fund for the payment of mothers' pension.

Mr. Deaton moved that the rule requiring bills to be printed and distributed for the use of the members before the reference thereof be suspended and the bills introduced be referred at once to committee.

The motion was agreed to and said bills were referred at once to committee as follows:

H. B. No. 44 — Mr. Deaton.

To the committee on Benevolent and Penal Institutions.

H. B. No. 45 — Mr. Horwitz.

To the committee on County Affairs.

Mr. Lowry offered **H. J. R. No. 10**.

That the clerk be and is hereby directed to have printed five thousand additional copies of **Amended H. B. No. 13** as passed by the Senate.

The resolution was laid over under the rule.

Mr. Ertel submitted the following report:

We, the undersigned select committee of three appointed pursuant to House Resolution No. 11 to ascertain and report mileage due members of the House of Representatives, beg leave to submit the following report:

<i>Name.</i>	<i>County.</i>	<i>Amount Due Each</i>	
		<i>Miles.</i>	<i>Week.</i>
Acker	Hocking	50	\$2 00
Agler	Stark	123	4 92
Anderson	Green	62	2 48
Appenzeller	Darke	96	3 84
Barthelmeh	Tuscarawas	85	3 40
Beatty	Hamilton	120	4 80
Behne	Williams	186	7 44
Beyer	Hancock	78	3 12
Bigelow	Hamilton	120	4 80
Bishop	Summit	134	5 36
Black	Hamilton	120	4 80
Black	Wyandot	65	2 60
Boggs	Belmont	150	6 00
Bonnell	Guernsey	87	3 48
Bour	Seneca	90	3 60
Brennan	Cuyahoga	138	5 52
Brown	Ashland	108	4 32
Brown	Union	18	72
Cameron	Defiance	170	5 80
Capelle	Hamilton	120	4 80
Carroll	Franklin .....	...	...
Chapman	Montgomery	76	3 04
Clark	Hamilton	120	4 80
Colter	Lucas	123	4 92
Conover	Champaign	48	1 92
Cooper	Mahoning	180	7 20
Cowan	Putnam	127	5 08
Kennedy	Allen	125	5 00
Kessler	Adams	185	7 40
Kilpatrick	Trumbull	170	6 80
Kilrain	Cuyahoga	138	5 52
King	Ashtabula	192	7 68

<i>Name.</i>	<i>County.</i>	<i>Amount Due Each Miles. Week.</i>	
King	Franklin .....	...	....
Kramer	Richland	80	3 20
Lambert	Jackson	80	3 20
Leist	Pike	87	3 48
Lowry	Henry	165	6 60
Lustig	Cuyahoga	138	5 52
McCormick	Gallia	118	4 72
McGuffey	Hardin	70	2 80
Mills	Cuyahoga	138	5 52
Morris	Fairfield	32	1 28
Mueller	Montgomery	70	2 80
Murphy	Preble	100	4 00
Nungesser	Crawford	59	2 36
Nye	Lucas	123	4 92
Orlikowski	Cuyahoga	138	5 52
Orrison	Franklin .....	...	....
Pence	Highland	105	4 10
Plank	Medina	131	5 24
Plumb	Delaware	23	92
Quinlisk	Shelby	85	3 40
Reid	Fayette	40	1 60
Reighard	Fulton	157	6 28
Reppert	Hamilton	120	4 80
Reynolds	Franklin .....	...	....
Rhulman	Vinton	78	3 12
Robinson	Lawrence	128	5 12
Schaefer	Cuyahoga	138	5 52
Schweikert	Hamilton	120	4 80
Crawford	Monroe	140	5 60
Criswell	Coshocton	81	3 24
Criswell	Morrow	50	2 00
Davis	Geauga	171	6 84
Deaton	Miami	79	3 16
Detrick	Logan	55	2 20
Dickson	Washington	170	6 80
Diser	Mahoning	180	7 20
Donaldson	Sandusky	97	3 88
Doster	Cuyahoga	138	5 52
Duffey	Lucas	123	4 92
Ertel	Clermont	90	3 60
Etling	Wayne	108	4 32
Fell	Muskingum	65	2 60
Fellinger	Cuyahoga	138	5 52
Foreman	Van Wert	150	6 00
Freeman	Belmont	150	6 00
Fulton	Licking	33	1 32
Gilson	Jefferson	172	6 88
Guthery	Marion	64	2 56
Hastings	Noble	93	3 72
Hite	Perry	40	1 60

<i>Name.</i>	<i>County.</i>	<i>Amount Due Each</i>	
		<i>Miles.</i>	<i>Week.</i>
Hoaglin	Paulding	162	6 48
Hoffman	Hamilton	120	4 80
Holl	Auglaize	100	4 00
Hoover	Warren	95	3 80
Horwitz	Meigs	133	5 32
Hunter	Knox	60	2 40
Jackson	Clark	45	1 80
Jenkins	Madison	18	72
Kathe	Ross	50	2 00
Kemerer	Carroll	150	6 00
Scott	Harrison	133	5 12
Shanley	Portage	145	5 80
Siebert	Franklin .....	...	...
Smith	Butler	103	4 12
Smith	Morgan	89	3 56
Snyder	Hamilton	120	4 80
Snyder	Pickaway	27	1 08
Stivers	Brown	175	7 00
Swain	Hamilton	120	4 80
Sweeney	Cuyahoga	138	5 52
Terrell	Cuyahoga	138	5 52
Tetlow	Columbiana	168	6 72
Thatcher	Clinton	60	2 40
Thomas	Wood	113	4 52
Venus	Huron	115	4 60
Vollmer	Cuyahoga	138	5 52
Vonderheide	Montgomery	70	2 80
Walsh	Cuyahoga	150	6 00
Warnes	Holmes	100	4 00
Welsh	Ottawa	148	5 92
White	Columbiana	173	6 92
Williams	Lorain	164	6 56
Winans	Lake	179	7 16
Wintermute	Mercer	102	4 08
Winters	Erie	111	4 44
Woodworth	Athens	76	3 04
Young	Cuyahoga	138	5 52

Respectfully submitted,

EARL E. ERTEL, Chairman,
D. M. CRISWELL,
W. R. DAVIS.

The report was agreed to.

The speaker granted leave of absence for the day to Messrs. Kramer, Etling, Williams and Colter.

The speaker granted leave of absence to Mr. Snyder, of Pickaway, for Thursday.

On motion of Mr. Lowry, the House recessed until Thursday at 10:00 o'clock a. m.

Thursday, February 5, 1914, 10:00 o'clock A. M.

The House met pursuant to recess.

Prayer was offered by the Reverend D. J. Starr of Columbus.

Mr. Lowry moved that the rule requiring bills after being reported back from committee to be placed on the calendar for second reading for the second day following be suspended and bills on the calendar for second reading Friday be taken up at this time.

The motion was agreed to.

H. B. No. 41 — Mr. Kilpatrick, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Kilpatrick demanded a call of the House, which was duly seconded, taken and 97 members answered to their names:

Those absent were: Messrs. Agler, Appenzeller, Bigelow, Chapman, Colter, Donaldson, Duffey, Gilson, Jenkins, McGuffey, Mills, Mueller, Pence, Quinlisk, Reid, Reppert, Siebert, Snyder of Hamilton, Snyder of Pickaway, Stivers, Terrell and vonder Heide.

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Lowry, further proceedings under the call were dispensed with.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 41** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 93, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Detrick,	Kilpatrick,	Robinson,
Anderson,	Dickson,	Kilrain,	Schaefer,
Beatty,	Doster,	King,	Schweikert,
Behne,	Ertel,	of Ashtabula,	Scott,
Beyer,	Etling,	King, of Franklin,	Shanley,
Boggs,	Fell,	Kramer,	Siebert,
Bonnell,	Fellinger,	Lambert,	Smith, of Butler,
Bour,	Foreman,	Leist,	Smith, of Morgan,
Brennan,	Freeman,	Lowry,	Sweeney,
Brown,	Fulton,	McCormick,	Terrell,
of Ashland,	Guthery,	McGuffey,	Tetlow,
Brown, of Union,	Hastings,	Morris,	Thatcher,
Cameron,	Hite,	Murphy,	Thomas,
Capelle,	Hoaglin,	Nungesser,	Venus,
Carroll,	Hoffman,	Nye,	Vollmer,
Clark,	Holl,	Orlikowski,	Walsh,
Colter,	Hoover,	Orrison,	Warnes,
Conover,	Horwitz,	Pence,	Welsh,
Crawford,	Hunter,	Plank,	White,
Criswell,	Jackson,	Plumb,	Williams,
of Coshocton,	Kathe,	Reighard,	Winans,
Criswell,	Kemerer,	Reppert,	Winters,
of Morrow,	Kennedy,	Reynolds,	Woodworth,
Davis,	Kessler,	Rhulman,	Young—93.
Deaton,			

The bill was passed.

And thereupon, by direction of the speaker, upon section 2, being the emergency section, the yeas and nays were taken, and resulted — yeas 94, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Rhulman,
Anderson,	of Morrow,	Kilpatrick,	Robinson,
Appenzeller,	Davis,	Kilrain,	Schaefer,
Barthelmeh,	Deaton,	King,	Schweikert,
Beatty,	Detrick,	of Ashtabula,	Scott,
Beyer,	Dickson,	King, of Franklin,	Shanley,
Bishop,	Donaldson,	Kramer,	Siebert,
Black,	Doster,	Lambert,	Smith, of Butler,
of Hamilton,	Ertel,	Leist,	Smith, of Morgan,
Black,	Etling,	Lowry,	Sweeney,
of Wyandot,	Fell,	Lustig,	Terrell,
Boggs,	Fellinger,	McCormick,	Tetlow,
Bonnell,	Foreman,	Mills,	Thatcher,
Bour,	Fulton,	Morris,	Venus,
Brennan,	Hastings,	Murphy,	Vollmer,
Brown,	Hite,	Nungesser,	Walsh,
of Ashland,	Hoaglin,	Nye,	Warnes,
Brown, of Union,	Hoffman,	Orlikowski,	Weish,
Cameron,	Holl,	Orrison,	White,
Clark,	Hoover,	Pence,	Williams,
Colter,	Horwitz,	Plank,	Winans,
Conover,	Hunter,	Plumb,	Wintermute,
Crawford,	Jackson,	Reighard,	Winters,
Criswell,	Kathe,	Reppert,	Woodworth,
of Coshocton,	Kennedy,	Reynolds,	Young—94.

Messrs. Capelle, Freeman and Kemerer voted in the negative.

The emergency section was adopted.

The title of the bill was agreed to.

H. B. No. 31 — Mr. Leist, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Leist, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 31** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 86, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Brown,	Dickson,	Horwitz,
Anderson,	of Ashland,	Donaldson	Hunter,
Barthelmeh,	Cameron,	Doster,	Jackson,
Beatty,	Capelle,	Ertel,	Kathe,
Behne,	Carroll,	Etling,	Kemerer,
Beyer,	Clark,	Fell,	Kessler,
Bigelow,	Conover,	Fellinger	Kilrain,
Bishop,	Cooper,	Foreman,	King,
Black,	Crawford,	Freeman,	of Ashtabula,
of Hamilton,	Criswell,	Fulton,	King, of Franklin,
Black,	of Coshocton,	Gilson,	Lambert,
of Wyandot,	Criswell,	Hastings,	Leist,
Boggs,	of Morrow,	Hite,	Lowry,
Bonnell,	Davis,	Hoffman,	Lustig,
Bour,	Deaton,	Holl,	McCormick,
Brennan,	Detrick,	Hoover,	Murphy,

Those who voted in the affirmative were: Messrs—Concluded.

Nungesser,	Rhulman,	Smith, of Morgan,	Welsh,
Nye,	Robinson,	Terrell,	White,
Orlikowski	Schaefer,	Thomas,	Winans,
Orrison,	Schweikert,	Venus,	Wintermute,
Pence,	Scott,	Vollmer,	Winters,
Reighard,	Shanley,	Walsh,	Woodworth,
Reynolds,	Siebert,	Warnes,	Young—86.

The bill was passed. The title was agreed to.

H. B. No. 42—Mr. Bour, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Bour, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 42** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 49, nays 49, as follows:

Those who voted in the affirmative were: Messrs.

Appenzeller,	Carroll,	Kennedy,	Shanley,
Beatty,	Clark,	Kilrain,	Siebert,
Behne,	Cowan,	King,	Smith, of Butler,
Beyer,	Diser,	of Ashtabula,	Sweeney,
Bigelow,	Donaldson,	Mills,	Terrell,
Bishop,	Doster,	Mueller,	Thomas,
Black,	Ertel,	Nungesser,	Venus,
of Hamilton,	Fellinger,	Nye,	Walsh,
Black,	Hite,	Orlikowski	Warnes,
of Wyandot,	Hoffman,	Orrison,	Welsh,
Bour,	Holl,	Reppert,	Winans,
Brennan,	Horwitz,	Schaefer,	Winters,
Cameron,	Kathe,	Schweikert,	Young—49.

Those who voted in the negative were: Messrs.

Acker,	Criswell,	Hunter,	Plumb,
Anderson,	of Morrow,	Jackson,	Reighard,
Barthelmeh,	Deaton,	Kemerer,	Reynolds,
Boggs,	Detrick,	Kessler,	Rhulman,
Bonnell,	Fell,	Kilpatrick,	Robinson,
Brown,	Foreman,	King, of Franklin,	Scott,
of Ashland,	Freeman,	Kramer,	Smith, of Morgan,
Brown, of Union,	Fulton,	Leist,	Tetlow,
Capelle,	Gilson,	Lustig,	White,
Conover,	Guthery,	McCormick,	Williams,
Cooper,	Hastings,	Murphy,	Wintermute,
Crawford,	Hoaglin,	Pence,	Woodworth—49.
Criswell,	Hoover,	Plank,	
of Coshocton,			

The bill not having received a constitutional majority, was lost.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bills:

H. B. No. 32 — Mr. Brown, of Ashland.

To amend sections 1079 and 1081 and to repeal section 1090 of the General Code, relating to the appointment of members of the agricultural commission.

H. B. No. 12 — Mr. Chapman.

To amend section 934 of the General Code, relative to emergency supplies which are to be kept for use at the mines.

H. B. No. 35 — Mr. Dickson.

To authorize the state armory board to accept a gift of land in the city of Marietta, Ohio, as the site of an armory building, and to erect thereon an armory.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 10 — Mr. Shanley.

To supplement section 976 of the General Code by the enactment of supplemental sections 976-1, 976-2 and 976-3, to regulate and prohibit solid shooting in coal mines.

With the following amendment, in which the concurrence of the House of Representatives is requested:

In line 10 strike out word "or" and insert in lieu word "and"

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the senate amendment be concurred in?"

The yeas and nays were taken, and resulted — yeas 72, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kennedy,	Reppert,
Anderson,	of Morrow,	Kessler,	Reynolds,
Barthelmeh,	Davis,	Kilpatrick,	Rhulman,
Beatty,	Deaton,	Kilrain,	Robinson,
Behne,	Detrick,	King,	Schaefer,
Beyer,	Dickson,	of Ashtabula,	Schweikert,
Bigelow,	Doster,	King, of Franklin,	Shanley,
Bishop,	Ertel,	Lambert,	Siebert,
Bonnell,	Fell,	Lowry,	Smith, of Butler,
Brennan,	Fellinger,	Lustig,	Sweeney,
Brown,	Foreman,	McCormick,	Tetlow,
of Ashland,	Guthery,	Murphy,	Thomas,
Cameron,	Hastings,	Orlikowski	Venus,
Capelle,	Hite,	Orrison,	Walsh,
Carroll,	Hoffman,	Pence,	White,
Clark,	Holl,	Plank,	Williams,
Cooper,	Hoover,	Plumb,	Wintermute,
Criswell,	Horwitz,	Reid, of Fayette,	Winters,
of Coshocton,	Kemerer,	Reighard,	Woodworth—72.

Mr. Gilson voted in the negative.

The Senate amendment was concurred in.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

February 5, 1914.

To the General Assembly:

When the Workmen's Compensation Law was passed a year ago there was considerable discussion as to the meaning of the term "wilful act," as contained in section 29. Under the provisions of the law there is reserved to the employe the right to sue in the event of a "wilful act" on the part of the employer and in case the employer fails to obey the safety laws of the state. It is doubtful whether any law was ever written with more care, this extreme precaution being due to the great importance of the measure then under consideration. In the debates in the House and Senate and at the open hearings before members of both Houses, the opinion of the Attorney General was cited as to the exact meaning of the term "wilful act." In this opinion which was formally rendered to the then State Liability Board of Awards the Attorney General stated that the term could only be interpreted to mean an act committed with the intention to injure. Since the law was passed a decision has been rendered by a federal judge in which circumstances, constituting what we have always regarded as wanton neglect, have been held to partake of the elements of a "wilful act." It is the opinion of the Industrial Commission that this judicial definition creates the probability of administrative difficulties. The primary purpose of the law is to reduce, if not to almost entirely remove, litigation as between capital and labor growing out of industrial accidents, so that every consideration of public policy would suggest that the meaning of the term "wilful act," as intended by the Legislature, be written into the law so clearly that there can be no doubt in the mind of any court. Apart from this, common good faith should impel the General Assembly to match by plain legislative enactment the official representation made when the bill was under consideration. It is therefore my recommendation that the Legislature define the term "wilful act."

JAMES M. COX,
Governor.

Mr. Lowry moved that the matter contained in the Governor's message be referred at once to the proper committee.

The motion was agreed to and the matter was referred to the committee on Judiciary.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 23 — Mr. Haas.

To authorize township trustees to construct, rebuild and repair foot-bridges.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Plumb, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with and **S. B. No. 23** — Mr. Haas, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Plumb, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 23** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 88, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cooper,	Holl,	Reppert,
Anderson,	Crawford,	Hoover,	Reynolds,
Appenzeller,	Criswell,	Horwitz,	Rhulman,
Barthelmeh,	of Coshocton,	Hunter,	Robinson,
Beatty,	Criswell,	Kemerer,	Schaefer,
Behne,	of Morrow,	King,	Schweikert,
Beyer,	Davis,	of Ashtabula,	Shanley,
Bigelow,	Deaton,	King, of Franklin,	Siebert,
Bishop,	Detrick,	Kramer,	Smith, of Butler,
Black,	Dickson,	Lambert,	Smith, of Morgan,
of Wyandot,	Donaldson,	Lowry,	Snyder,
Boggs,	Doster,	Lustig,	of Hamilton,
Bonnell,	Ertel,	McCormick,	Sweeney,
Bour,	Etlng,	Morris,	Terrell,
Brennan,	Fell,	Mueller,	Thatcher,
Brown,	Fellinger,	Murphy,	Thomas,
of Ashland,	Foreman,	Nungesser,	Venus,
Brown, of Union,	Freeman,	Orlikowski,	Vollmer,
Cameron,	Fulton,	Pence,	Walsh,
Capelle,	Gilson,	Plank,	Wintermute,
Carroll,	Hastings,	Plumb,	Winters,
Clark,	Hite,	Reid, of Fayette,	Woodworth,
Colter,	Hoaglin,	Reighard,	Young—88.
Conover,	Hoffman,		

The bill was passed.

The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

Sub. S. B. No. 22 — Mr. Herner.

To amend section 1412 of the General Code, as amended in an act entitled "An act to protect certain game." (O. L. Vol. 103, page 167.)

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time and referred to the committee on Fish and Game.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following:

H. J. R. No. 9—Mr. Smith, of Morgan.

To authorize the printing and publication in pamphlet form of the acts passed at this session of the General Assembly with regard to the school system of Ohio.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has agreed to the report of the committee of conference on matters of difference between the two Houses on **H. B. No. 2**—Mr. Welsh.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Thatcher submitted the following report:

The standing committee on Benevolent and Penal Institutions, to which was referred **H. B. No. 44**—Mr. Deaton, having had the same under consideration, reports it back and recommends its passage:

D. M. CRISWELL,
G. M. PLUMB,
BERNARD ORLIKOWSKI,
MARTIN L. SWEENEY,
CHAS. A. WHITE,
ALFRED ROBINSON,

R. B. CAMERON,
W. M. DICKSON,
O. J. THATCHER,
GEO. M. MORRIS,
CULBERTSON J. SMITH,
W. A. RHULMAN.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Appenzeller submitted the following report:

The standing committee on County Affairs, to which was referred **H. B. No. 45**—Mr. Horwitz, having had the same under consideration, reports it back and recommends its passage.

FRANK H. REIGHARD,
C. APPENZELLER,
GEO. S. CRAWFORD,

WM. H. SCHWEKERT,
FRED BARTHELMEH,
GEO. LEIST, JR.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

February 5, 1914.

To the General Assembly:

The Constitutional Convention submitted, among other proposals, for ratification or rejection in 1912 the one granting to each county a common pleas judge and making of each county a judicial sub-division. Eighty-two counties cast an adverse vote. The six large counties affirmed the plan by over eighty thousand votes. These six counties are not affected, so that the concrete result is the imposition of new conditions in twenty-two of the smaller counties regardless of their adverse verdict. In the debates that took place in the Constitutional Convention it was contended that while the new arrangement might create more judges in the country districts than the work required, the excess could be used in the large counties where the dockets were congested. Since the election in 1912 the Workmen's Compensation law has become general in its application and one result of its administration has an important bearing on the subject of a new judicial apportionment. Litigation has been so much reduced that the Chief Justice of the Supreme Court, whose duty it is to make assignments of judges in such manner as will provide adequate facilities everywhere, finds that the number of judges under the old apportionment is sufficient to carry on the work; in fact it is an open question whether the committee appointed to report on the simplification of judicial practices and the actual necessity as to the number of judges in the State, will not ascertain under the conditions growing out of the operation of the Workmen's Compensation Law that the commonwealth cannot without impairment of the service reduce the existing number of judges of the court of common pleas. Aside from this the natural processes of development in the rural counties are reducing the measure of litigation. I deem it of the highest importance that a constitutional amendment be submitted to the people. The cost to the State in creating the additional twenty-two judges in salaries alone will be more than a half million dollars for the six year term. The situation is so easily analyzed and the plea against this unnecessary expense so far above successful challenge that it becomes the transcendent duty of every member in the Legislature, and the executive department as well, to acquaint the people of the State of the changed conditions and give them an opportunity to provide for and profit by them. Some may contend that the submission of this amendment upon the part of those who urged the adoption of the proposal in 1912 is inconsistent, but the answer is that the proposal making workmen's compensation compulsory is not only a distinct contribution to the humanity of the age, but it has demonstrated its economies to society in every direction. It doubtless will be stated furthermore that the county judge plan permits consolidation with the probate court. While this authority is granted in counties under a state population, still it is perfectly well known that no such action is in contemplation in most of the counties, and this, in a degree, grows out of the fact that the probate court, without the formalities of the upper court, is a popular clearing house of homely utilities for farmers and citizens gen-

erally, and they desire that the separation be kept permanent. I recognize that partisan considerations will arise in opposition to this suggestion. It is a task of infinitely greater magnitude to reduce the number of public positions than it is to establish them, but with the large counties unreserved now in their admission of diminished litigation, and the rural counties even more firmly fixed in their conviction on the subject, I can conceive of no conscientious objection from any quarter to this proposal. The amendment could be submitted on primary day in August without either an addition of cost or inconvenience to the public. If it is adopted the status quo of 1912 is restored and elections can be held in the old subdivisions this fall as they would have ensued if the amendment had not been adopted. On the other hand, if the vote this year is adverse, then there is not the slightest interference with the operation of the county judge plan since your honorable body has now well under way the legislation which provides the judicial machinery. In submitting this recommendation to the Assembly its members are given an opportunity to meet in the highest sense an official duty, and I indulge the hope that it will be availed of.

JAMES M. COX,
Governor.

Mr. Lowry moved that the matter contained in the Governor's message be referred at once to the proper committee.

The motion was agreed to and same was referred to the committee on Judiciary.

Mr. Smith of Butler submitted the following report:

The committee of conference to which were referred the matters of difference between the two houses on **H. J. R. No. 2** — Mr. Smith, of Butler, having had the same under consideration, does recommend to the respective houses as follows:

Strike out all after the title of said resolution and substitute the following:

"Be it resolved by the General Assembly of the State of Ohio:

That the clerk of the Senate and clerk of the House of Representatives are hereby directed to have printed 150 copies of each bill and resolution passed by the present session, one-third of which copies shall be delivered by the printer to the clerk of the Senate, and two-thirds of such copies to the clerk of the House."

THOMAS M. GREGORY,
I. C. KISER,
JACOB J. WISE,

CULBERTSON J. SMITH,
G. G. O. PENCE,
ED. H. BISHOP.

The question was, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken, and resulted — yeas 91, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bishop,	Bonnell,	Cameron,
Anderson,	Black,	Bour,	Capelle,
Barthelmeh,	of Hamilton,	Brennan,	Carroll,
Beatty,	Black,	Brown,	Clark,
Behne,	of Wyandot,	of Ashland,	Conover,
Beyer,	Boggs,	Brown, of Union,	Cowan,

Those who voted in the affirmative were: Messrs. — Concluded.

Crawford,	Hastings,	Lustig,	Scott,
Criswell,	Hite,	McCormick,	Shanley,
of Coshocton,	Hoffman,	Mills,	Siebert,
Criswell,	Holl,	Morris,	Smith, of Butler,
of Morrow,	Horwitz,	Mueller,	Smith, of Morgan,
Davis,	Hunter,	Murphy,	Sweeney,
Deaton,	Kathe,	Nungesser,	Terrell,
Detrick,	Kennedy,	Orlikowski,	Tetlow,
Dickson,	Kessler,	Orrison,	Thatcher,
Diser,	Kilpatrick,	Pence,	Thomas,
Donaldson,	Kilrain,	Plumb,	Venus,
Doster,	King,	Reighard,	Walsh,
Ertel,	of Ashtabula,	Reppert,	White,
Fell,	King, of Franklin,	Reynolds,	Winans,
Fellinger,	Kramer,	Rhulman,	Wintermute,
Foreman,	Lambert,	Robinson,	Winters,
Freeman,	Leist,	Schaefer,	Woodworth,
Fulton,	Lowry,	Schweikert,	Young—91.
Gilson,			

The report of the committee of conference was agreed to.

Mr. Brown, of Union, submitted the following report:

The standing committee on Public Schools, to which was referred **H. B. No. 29**—Mr. Woodworth, having had the same under consideration, reports it back and recommends its passage.

G. G. O. PENCE,
JOHN F. GILSON,
J. V. WINANS,
C. D. BROWN,
VAN S. DEATON,

JOHN J. SHANLEY, SR.,
J. CHAS. CRISWELL,
FRED BARTHELMEH,
W. M. DICKSON.

The question was, "Shall the report of the committee be agreed to?"

The report was disagreed to.

Mr. Lowry moved that **H. B. No. 29** be again referred to the committee on Public Schools.

The motion was agreed to and the bill was referred to the committee on Public Schools.

Mr. Anderson moved that the committee on Public Schools be relieved of further consideration of **H. B. No. 23** and said bill be placed on the calendar for second reading.

The motion was disagreed to.

Mr. Gilson moved that the committee on Public Schools be relieved of further consideration of **H. B. No. 26** and said bill be placed on the calendar for second reading.

The question was, "Shall the committee on Public Schools be relieved of further consideration of **H. B. No. 26**?"

The yeas and nays were demanded, taken and resulted—yeas 31, nays 54, as follows:

Those who voted in the affirmative were: Messrs.

Anderson,	Freeman,	King, of Franklin,	Smith, of Morgan,
Appenzeller,	Gilson,	Lambert,	Tetlow,
Bonnell,	Hastings,	Plank,	Vollmer,
Brown, of Union,	Hoover,	Reid, of Fayette,	vonder Heide,
Conover,	Hunter,	Reighard,	White,
Criswell,	Jackson,	Reynolds,	Winans,
of Morrow,	Kathe,	Robinson,	Wintermute,
Deaton,	Kemerer,	Scott,	Woodworth—31.

Those who voted in the negative were: Messrs.

Acker,	Carroll,	Hoffman,	Orrison,
Barthelmeh,	Clark,	Holl,	Schaefer,
Beatty,	Criswell,	Horwitz,	Schweikert,
Behne,	of Coshocton,	Kennedy,	Shanley,
Bishop,	Davis,	Kessler,	Siebert,
Black,	Detrick,	Kilpatrick,	Smith, of Butler,
of Hamilton,	Dickson,	Kilrain,	Thatcher,
Black,	Donaldson,	King,	Thomas,
of Wyandot,	Doster,	of Ashtabula,	Venus,
Boggs,	Ertel,	Leist,	Walsh,
Bour,	Fell,	Lowry,	Warnes,
Brennan,	Fellinger,	Morris,	Welsh,
Brown,	Foreman,	Mueller,	Winters,
of Ashland,	Hite,	Nungesser,	Young—54.
Cameron,	Hoaglin,	Orlikowski	

The motion was disagreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 15 — Mr. Rhulman.

To amend sections 7595 and 7597 of the General Code and add supplementary section 7595-1, relating to the salaries of teachers and aid to weak school districts.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lowry submitted the following report:

The standing committee on Fish and Game to which was referred **S. B. No. 22** — Mr. Herner, having had the same under consideration, reports it back and recommends its passage.

EDWARD R. MUELLER,
JOHN H. LOWRY,
G. G. O. PENCE,
C. H. McCORMICK,

W. O. JACKSON,
W. S. KING,
F. B. FELL,
JOSEPH LUSTIG.

The report was agreed to.

The bill was ordered to be read the second time in its regular order.

Mr. Bishop offered **H. R. No. 12**.

WHEREAS, The House of Representatives has heard with profound sorrow and regret of the death of the Honorable William Buchtel, member of the 76th General Assembly from Summit county; and

WHEREAS, In his death the people of his county have lost one of its faithful workers and most useful members, whose sincerity of purpose, fidelity to duty and loyalty to right have been an inspiration to those who knew him best; therefore

Be it Resolved by the House of Representatives of Ohio: That as a token of respect to his memory this resolution be spread upon the journal of the house, and as an expression of our sympathy engrossed copies be sent to his family and to his daughter, Mrs. J. M. Beck.

And that as a further token of respect the House does now adjourn.

Mr. Bishop moved that the rules be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was "Shall the resolution be adopted?"

The resolution was adopted, and under the provisions of the resolution, the House adjourned at 11:50 o'clock A. M.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio.

Thursday, February 5, 1914, 1:30 o'clock p. m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

The following message was received from the Governor.

State of Ohio.

Executive Department
Office of the Governor.

February 5, 1914.

To the General Assembly:

There seems to be a well organized effort in this country to break down the so-called blue sky laws which have been passed under the police powers of the States for the purpose of protecting investors against fraudulent enterprises. An attack was made on the Iowa law, but the court held it to be constitutional. In Michigan, however, the federal court holds that the law is an unjustifiable exercise of the police power of the State.

The blue sky law adopted in Ohio has justified the principal suggested and vitalized by the Constitutional Convention.

The most careful investigation has been made of the provisions of the law and the trend of judicial logic in the trial of the cases in different parts of the country, and while there is common agreement in the thought that the state has the right, through its police power, to protect its people against the exploitation of projects fraudulent in purpose and nature; still we must at all times be reminded that our legislation must assume such form as will keep it consistent with the federal provisions regulating interstate commerce; in short, we can afford to change the form of the Ohio law if it is obviously necessary to retain the substance and preserve the principle involved.

Notwithstanding the Michigan decision was rendered but a few days ago, the opinion has been fully digested, and a bill has been drawn, through the combined counsel of the Attorney General, Commissioner of Insurance and Superintendent of Banks.

It is my recommendation that the language of the law be rendered less ambiguous, that the fees charged be sufficient to meet the cost of the service, that the restrictions be so modified as to provide against constitutional infirmities, and that the commissioner be given the power,

in proper instances, to grant temporary permits during the pendency of applications, so that legitimate business may not be hampered.

In the interest of the public service, I recommend action along these lines by the Assembly.

JAMES M. COX,
Governor.

Mr. Lowry moved that the matter referred to in the Governor's message be referred at once to the proper committee.

The motion was agreed to and the matter was referred to the committee on Banks and Banking.

H. B. No. 44—Mr. Deaton, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Deaton moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 4 strike out the word "may" and insert "shall", and in line 13 strike out the word "may" and insert "shall".

The motion was agreed to, and Mr. Deaton was appointed such committee, and reported the bill amended as instructed.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Deaton, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were disposed with and **H. B. No. 44** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 83, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Chapman,	Kennedy,	Rhulman,
Anderson,	Clark,	Kessler,	Robinson,
Appenzeller,	Conover,	Kilpatrick,	Schaefer,
Barthelmeh,	Cowan,	King,	Schweikert,
Beatty,	Criswell,	of Ashtabula,	Scott,
Behne,	of Morrow,	King, of Franklin,	Shanley,
Beyer,	Davis,	Kramer,	Siebert,
Bigelow,	Deaton,	Lambert,	Smith, of Butler,
Bishop,	Dickson,	Lowry,	Smith, of Morgan,
Black,	Donaldson,	Morris,	Sweeney,
of Hamilton,	Doster,	Mueller,	Terrell,
Black,	Fell,	Murphy,	Tetlow,
of Wyandot,	Foreman,	Nungesser,	Thatcher,
Boggs,	Gilson,	Nye,	Thomas,
Bonnell,	Hastings,	Orlikowski,	Vollmer,
Bour,	Hite,	Orrison,	vonder Heide,
Brown,	Hoffman,	Pence,	White,
of Ashland,	Holl,	Plank,	Winans,
Brown, of Union,	Hoover,	Plumb,	Wintermute,
Cameron,	Horwitz,	Reid, of Fayette,	Winters,
Capelle,	Jackson,	Reighard,	Woodworth,
Carroll,	Kathe,	Reynolds,	Young—83.

The bill was passed.

And thereupon, by direction of the speaker, upon section 3, being the emergency section, the yeas and nays were taken, and resulted — yeas 94, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilpatrick,	Schaefer,
Anderson,	of Coshocton,	Kilrain,	Schweikert,
Appenzeller,	Criswell,	King,	Scott,
Beatty,	of Morrow,	of Ashtabula,	Shanley,
Behne,	Davis,	King, of Franklin,	Siebert,
Beyer,	Deaton,	Kramer,	Smith, of Butler,
Bigelow,	Detrick,	Lambert,	Smith, of Morgan,
Bishop,	Dickson,	Lowry,	Snyder,
Black,	Donaldson,	McCormick,	of Hamilton,
of Hamilton,	Doster,	Mills,	Sweeney,
Black,	Ertel,	Morris,	Terrell,
of Wyandot,	Fell,	Mueller,	Tetlow,
Boggs,	Freeman,	Murphy,	Thatcher,
Bonnell,	Gilson,	Nungesser,	Thomas,
Bour,	Hastings,	Nye,	Venus,
Brennan,	Hite,	Orlikowski,	Vollmer,
Brown,	Hoaglin,	Orrison,	vonder Heide,
of Ashland,	Hoffman,	Pence,	Walsh,
Brown, of Union,	Holl,	Plank,	Warnes,
Cameron,	Horwitz,	Plumb,	White,
Capelle,	Hunter,	Reid, of Fayette,	Williams,
Carroll,	Jackson,	Reighard,	Winans,
Chapman,	Kathe,	Reynolds,	Wintermute,
Clark,	Kennedy,	Rhulman,	Winters,
Conover,	Kessler,	Robinson,	Woodworth—94.
Crawford,			

Mr. Young voted in the negative.

The emergency section was adopted.

The title of the bill was agreed to.

Mr. Criswell, of Morrow, moved that the vote by which **S. B.**

No. 12—Mr. Friebolin, was passed be reconsidered.

Mr. Young raised a point of order against the motion and the speaker declared he would take the matter under advisement.

Mr. Warnes moved that the House request the return of

S. B. No. 12 — Mr. Friebolin.

The motion was agreed to.

H. B. No. 45 — Mr. Horwitz, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Young moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the comma (,) after 1683-9 in line 4 and in lieu thereof insert "of the".

The motion was agreed to, and Mr. Young was appointed such committee, and reported the bill amended as instructed.

Mr. Schaefer moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 8 after the first comma insert the words "of the"

In line 10 after the first comma insert the words "of the"

The motion was agreed to and Mr. Schaefer was appointed such committee, and reported the bill amended as instructed.

Mr. Horwitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 11 add: "Section 2. This act is hereby declared an emergency law necessary for the immediate preservation of the public peace and health. The reason for such necessity lies in the fact that no levies for mothers' pension were made in the year 1913. As a consequence of which much suffering has ensued, the further continuance of which would be detrimental to the public peace and health; therefore, this act shall go into immediate effect."

The motion was agreed to, and Mr. Horwitz was appointed such committee, and reported the bill amended as instructed.

The question recurred "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Horwitz, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 45** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 84, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Shanley,
Anderson,	of Coshocton,	of Ashtabula,	Siebert,
Appenzeller,	Criswell,	Kramer,	Smith, of Morgan,
Barthelmeh,	of Morrow,	Leist,	Snyder,
Beyer,	Davis,	Lowry,	of Hamilton,
Bigelow,	Deaton,	Lustig,	Sweeney,
Bishop,	Detrick,	McCormick,	Terrell,
Black,	Dickson,	Morris,	Tetlow,
of Hamilton,	Doster,	Mueller,	Thatcher,
Black,	Fell,	Murphy,	Thomas,
of Wyandot,	Fellinger,	Nye,	Venus,
Boggs,	Foreman,	Orlikowski	Vollmer,
Bonnell,	Freeman,	Orrison,	vonder Heide,
Bour,	Hastings,	Pence,	Walsh,
Brennan,	Hoffman,	Plank,	Warnes,
Brown,	Holl,	Plumb,	Welsh,
of Ashland,	Hoover,	Reighard,	White,
Brown, of Union,	Horwitz,	Reynolds,	Williams,
Cameron,	Hunter,	Rhulman,	Winans,
Capelle,	Kathe,	Robinson,	Wintermute,
Carroll,	Kemerer,	Schaefer,	Winters,
Chapman,	Kilpatrick,	Schweikert,	Woodworth,
Conover,		Scott,	Young—84.

Mr. Nungesser voted in the negative.

The bill was passed.

And thereupon, by direction of the speaker, upon section 2, being the emergency section, the yeas and nays were taken, and resulted—yeas 86, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Boggs,	Cowan,	Fell,
Anderson,	Bonnell,	Criswell,	Fellinger,
Appenzeller,	Bour,	of Coshocton,	Foreman,
Barthelmeh,	Brennan,	Criswell,	Freeman,
Beatty,	Brown, of Union,	of Morrow,	Fulton,
Beyer,	Capelle,	Davis,	Hastings,
Bigelow,	Carroll,	Deaton,	Hite,
Bishop,	Chapman,	Detrick,	Hoffman,
Black,	Clark,	Dickson,	Holl,
of Wyandot,	Conover,	Doster,	Hoover,

Those who voted in the affirmative were: Messrs. — Concluded.

Horwitz,	Murphy,	Scott,	Venus,
Kathe,	Nye,	Shanley,	Vollmer,
Kennedy,	Orlikowski	Siebert,	vonder Heide,
Kessler,	Orrison,	Smith, of Butler,	Walsh,
Kilpatrick,	Pence,	Smith, of Morgan,	Warnes,
King, of Franklin,	Plank,	Snyder,	Welsh,
Kramer,	Plumb,	of Hamilton,	White,
Lambert,	Reighard,	Sweeney,	Williams,
Lowry,	Reynolds,	Terrell,	Winans,
Lustig,	Rhulman,	Tetlow,	Wintermute,
McCormick,	Robinson,	Thatcher,	Winters,
Morris,	Schaefer,	Thomas,	Woodworth—86.
Mueller,	Schweikert,		

Messrs. Crawford, Nungesser and Young voted in the negative.

The emergency section was adopted.

The title of the bill was agreed to.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 47 — Mr. Cowan.

To make general appropriations for the fiscal year beginning February 16, 1914, and to repeal House Bill No. 670 approved May 9, 1913 (103 O. L. 627), entitled an act "To make general appropriations."

On motion of Mr. Cowan, the rule requiring bills to be referred to committee before being placed on the calendar for second reading was suspended and **H. B. No. 47** was ordered placed on the calendar in its regular order.

S. B. No. 22 — Mr. Herner, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Welsh moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 25 strike out the numerals "1413" and insert in lieu thereof the numerals "1412."

The motion was agreed to and Mr. Welsh was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Lowry, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 22** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 91, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Boggs,	Carroll,	Davis,
Anderson,	Bonnell,	Chapman,	Deaton,
Barthelmeh,	Bour,	Clark,	Detrick,
Beatty,	Brennan,	Conover,	Dickson,
Bishop,	Brown,	Crawford,	Doster,
Black,	of Ashland,	Criswell,	Ertel,
of Hamilton,	Brown, of Union,	of Coshocton,	Fell,
Black,	Cameron,	Criswell,	Foreman,
of Wyandot,	Capelle,	of Morrow,	Freeman,

Those who voted in the affirmative were: Messrs. — Concluded.

Fulton,	of Ashtabula,	Plank,	Tetlow,
Gilson,	King, of Franklin,	Plumb,	Thatcher,
Hastings,	Kramer,	Reid, of Fayette,	Thomas,
Hite,	Leist,	Reighard,	Venus,
Hoffman,	Lowry,	Reynolds,	Vollmer,
Holl,	Lustig,	Rhulman,	vonder Heide,
Hoover,	McCormick,	Robinson,	Walsh,
Horwitz,	Morris,	Schaefer,	Warnes,
Hunter,	Mueller,	Schweikert,	White,
Jackson,	Murphy,	Shanley,	Williams,
Kathe,	Nungesser,	Siebert,	Winans,
Kemerer,	Nye,	Smith, of Butler,	Wintermute,
Kessler,	Orlikowski	Smith, of Morgan,	Winters,
Kilpatrick,	Orrison,	Sweeney,	Woodworth,
Kilrain,	Pence,	Terrell,	Young—91.
King,			

The bill was passed.

The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has agreed to the report of the Committees of Conference on matters of difference between the two Houses on **H. J. R. No. 2** — Mr. Smith, of Butler.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House is requested:

S. B. No. 21 — Mr. Gregory.

To amend sections 4227-1, 4227-2, and 4227-5 of the General Code, to repeal sections 3772, 3773 and 3774 and to add sections 4227-6 to 4227-13 inclusive, relative to further safeguarding initiative and referendum petitions in municipalities.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 21** was read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 21** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 83, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilpatrick,	Schweikert,
Anderson,	of Coshocton,	King,	Scott,
Appenzeller,	Criswell,	of Ashtabula,	Shanley,
Barthelmeh,	of Morrow,	Kramer,	Siebert,
Beatty,	Davis,	Lambert,	Smith, of Butler,
Beyer,	Deaton,	Leist,	Smith, of Morgan,
Bigelow,	Detrick,	Lowry,	Snyder,
Bishop,	Dickson,	Lustig,	of Hamilton,
Black,	Donaldson,	McCormick,	Sweeney,
of Wyandot,	Fell,	Morris,	Terrell,
Bonnell,	Fellinger,	Mueller,	Tetlow,
Bour,	Foreman,	Murphy,	Thatcher,
Brennan,	Freeman,	Nungesser,	Thomas,
Brown,	Hastings,	Orlikowski,	Venus,
of Ashland,	Hoaglin,	Pence,	Vollmer,
Brown, of Union,	Hoffman,	Plank,	vonder Heide,
Cameron,	Holl,	Plumb,	Warnes,
Capelle,	Hoover,	Reighard,	Welsh,
Carroll,	Horwitz,	Reynolds,	White,
Chapman,	Kathe,	Rhulman,	Williams,
Clark,	Kemerer,	Robinson,	Wintermute,
Conover,	Kessler,	Schaefer,	Winters,
			Young—83.

Messrs. Gilson and Nye voted in the negative.

The bill was passed. The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 13 — Mr. Lowry.

To amend sections 4679, 4682-1, 4683, 4684, 4685, 4687, 4688, 4689, 4692, 4696, 4712, 4714, 4715, 4726, 4727, 4728 to 4744 inclusive, 4747, 5653, 7705, 7706, 7730, 7731, to add supplementary sections 4688-1, 4688-2, 4728-1, 4740-1, 4747-1, 4744-1 to 4744-6 inclusive, 7706-1, 7706-2, 7706-3, 7706-4, 7706-5, 7730-1, and to repeal sections 4713, 4716, 4717 to 4725 inclusive of the General Code relating to the supervision of rural and village schools.

With the following amendments in which the concurrence of the House of Representatives is requested:

In line 31 after the word "contiguous" strike out the period and insert the following: "except where an island or islands form an integral part of the district".

In line 73 after the word "district" insert the words "or city or village school districts".

In line 169 after the first word "and" insert "on the third Saturday of March of".

In line 145 strike out the period after "1914" and insert "and each year thereafter on the third Saturday of January".

In line 186 strike out after the word "be" all of said line to and including "and". In the same line strike out the word "general" and before the comma (,) insert "itemized and verified".

In line 187 after the word "county" insert "board of education".

In line 217 after the word "meeting" strike out "by a four-fifths vote."

In lines 264 and 265 strike out the words "and there is no probable increase during another year".

In line 266 after the word "school" insert the words "or schools".

In line 307 after the word "superintendent" insert "or which officially certifies by the clerk or clerks of the board of education on or before July 20th, 1914, that it will employ a superintendent".

In line 296 substitute the word "sixty" for "seventy".

In line 338 strike out the word "treasury" and insert "board of education fund".

In line 341 change the word "amount" to "salary".

In line 355 change period (.) to comma (,) and add "and shall be paid out of the county board of education fund on vouchers signed by the president of the county board".

In line 360 after the period add:

"The half paid by the county school district shall be pro-rated among the village and rural school districts in the county in proportion to the number of teachers employed in each district."

In line 366 change period (.) to semicolon (;) and add "and such board of education shall also certify to the county auditor the amounts to be apportioned to each district for the payment of its share of the salaries of the county and district superintendents".

In line 369 strike out the words "charge against such districts" and substitute in lieu thereof the word "retain".

In line 371 after the period (.) add "Such amount shall be placed in a separate fund to be known as the 'County Board of Education Fund'".

"The county board of education shall certify under oath to the state auditor the amount due from the state as its share of the salaries of the county and district superintendents of such county school district for the next six months. Upon receipt by the state auditor of such certificate, he shall draw his warrant upon the state treasurer in favor of the county treasurer for the required amount, which shall be placed by the county auditor in the county board of education fund."

In lines 392 and 393 strike out the comma (,) after "teaching" and the words "one year's additional experience in supervision."

In line 446-c insert the word "financially" before the word "interested."

Insert the following section after line 446:

"Sec. 7706-5. The provisions of this act shall apply only to the public schools of the state."

In line 450, change period (.) to comma (,) and change capital "T" to small "t" in first word "the."

In line 450, strike out all after the word "transferred" and in lieu thereof insert "and disposed as follows: in a county in which there is a society for the prevention of cruelty to children and animals, incorporated and organized as provided by law, which has one or more agents appointed in pursuance of law, all of such excess as the county commissioners deem necessary for the uses and purposes of such society by order of the commissioners and upon the warrant of the county auditor shall be paid to the treasurer of such society, and any surplus not so transferred shall be transferred to the county board of education."

In line 451 strike out words "general county".

In line 392 after the word "teaching" insert a comma "," and add the following: "one year's additional experience in supervision or one year's training in supervision in an institution of college or university rank".

After period in line 321 add the following: "Any school district or districts, having less than twenty teachers, isolated from the remainder of the county school district by supervision districts, provided for in this section shall be joined for supervision purposes to one or more of such supervision districts, but the superintendent or superintendents already employed in such supervision district or districts shall be in charge of the enlarged supervision district or districts until a vacancy occurs."

In line 446a strike out all of the line after the word "with" and strike out all of line 446b to the word "or".

In line 261, after the word "board" insert the following: "in such village school district may provide and in such rural school district shall".

Line 113 after the word "than" strike out the word "ten" and in lieu thereof substitute the word "five".

In line 307 change the word "or" to "and".

Strike out line 446b and in line 446c strike out all up to the word "or" where it appears the first time.

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 65, nays 11, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Donaldson,	Lambert,	Shanley,
Anderson,	Doster,	Leist,	Siebert,
Barthelmeh,	Ertel,	Lowry,	Smith, of Butler,
Beatty,	Etling,	Lustig,	Smith, of Morgan,
Beyer,	Fell,	Morris,	Snyder,
Bigelow,	Foreman,	Mueller,	of Hamilton,
Black,	Hoaglin,	Murphy,	Terrell,
of Hamilton,	Hoffman,	Nungesser,	Thatcher,
Boggs,	Holl,	Nye,	Venus,
Brown, of Union,	Hoover,	Orlikowski	Vollmer,
Cameron,	Horwitz,	Orrison,	vonder Heide,
Carroll,	Hunter,	Pence,	Warnes,
Chapman,	Kathe,	Plumb,	Welsh,
Criswell,	Kessler,	Reynolds,	Wintermute,
of Morrow,	Kilpatrick,	Rhulman,	Winters,
Davis,	King,	Schaefer,	Woodworth,
Detrick,	of Ashtabula,	Schweikert,	Young—65.
Dickson,			

Those who voted in the negative were: Messrs.

Appenzeller,	Crawford,	Jackson,	Robinson,
Bour,	Gilson,	Kemerer,	Scott—11.
Capelle,	Hastings,	Reid, of Fayette,	

The Senate amendments were concurred in.

By unanimous consent, Mr. Kilpatrick submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 2**—Mr. Friebolin, having had the same under considera-

tion, reports it back with the following amendment, and recommends its passage when so amended:

After line "11," insert the following:

"Provided that when a vacancy may have occurred in the office of any judge of the Court of Common Pleas, in office or elected thereto prior to January 1, 1913, his successor shall be elected for the unexpired term at the first annual election that occurs in an even numbered year more than thirty days after such vacancy may have occurred, and such election shall be by the qualified electors of the county in which the judge, whose office became vacant, resided at the time of his election."

W. B. KILPATRICK,
J. R. B. KESSLER,
PERCY TETLOW,
JOHN F. KRAMER ,
S. H. WILLIAMS,
STEPHEN M. YOUNG,

J. CHAS. CRISWELL,
C. A. REID,
CULBERTSON J. SMITH,
ALTON H. ETLING,
V. J. VONDER HEIDE.

The amendment was agreed to.

Mr. Kilpatrick moved that the rule requiring bills after being reported back from committee to be placed on the calendar for second reading for the second day following, be suspended and **S. B. No. 2**—Mr. Friebolin, be engrossed at the clerk's desk and read the second time now.

The motion was agreed to and **S. B. No. 2**—Mr. Friebolin, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Kilpatrick, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 2** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Detrick,	Kessler,	Rhulman,
Anderson,	Dickson,	Kilpatrick,	Robinson,
Barthelmeh,	Donaldson,	Kilrain,	Schaefer,
Beatty,	Doster,	King,	Schweikert,
Behne,	Fell,	of Ashtabula,	Scott,
Beyer,	Fellinger,	Lambert,	Shanley,
Bigelow,	Freeman,	Leist,	Siebert,
Bishop,	Fulton,	Lowry,	Smith, of Morgan,
Bour,	Gilson,	Morris,	Snyder,
Brown, of Union,	Hastings,	Murphy,	of Hamilton,
Cameron,	Hite,	Nungesser,	Thomas,
Capelle,	Hoaglin,	Nye,	Venus,
Carroll,	Hoffman,	Orlikowski	vonder Heide,
Chapman,	Holl,	Orrison,	Walsh,
Conover,	Hoover,	Pence,	Warnes,
Crawford,	Horwitz,	Plank,	Williams,
Criswell,	Hunter,	Plumb,	Wintermute,
of Morrow,	Jackson,	Reid, of Fayette,	Winters,
Davis,	Kathe,	Reighard,	Woodworth,
Deaton,	Kemerer,	Reynolds,	Young—77.

The bill was passed.

The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 19 — Mr. vonder Heide.

To prevent floods, to protect cities, villages, farms and highways from inundation, and to authorize the organization of drainage and conservation districts.

With the following amendments in which the concurrence of the House of Representatives is requested:

In line 46, after the word "reclining", add the words "or of filling."

In line 58, strike out the words and figures "one hundred" and insert in lieu thereof the words and figures "five hundred."

In line 108, after the word "court", add the words "of common pleas of the county in which the petition was filed."

Line 129, strike out the words "to issue bonds and to do and perform all acts herein provided."

Strike out all of Section 6 after line 154 and insert the following: "In case of a district lying in more than one county, one Common Pleas Judge of each of the counties having land in the district shall sit as a Court in the Court House where the original petition was filed, to make the findings required by this Section and by Section 12 herein. A majority of said judges shall be necessary to render a decision. In case of a tie, said matter shall be forthwith certified to the Court of Appeals of said county, and said Court shall hear and determine said matter as an advanced case in preference to all other business."

Add at end of line 175: "In case of a district lying in more than one county, appointments of directors under this Section, and of appraisers under Section 26 of this act shall not be effective until approved by a majority of the judges constituting the court provided for in Section 6 of this act."

Insert at the end of line 221 the following: "No construction shall be made under the authority of this act which will cause the flooding of any village or city or which will cause the water to back up into any village or city, unless the Board of Directors shall have acquired and paid for the right to use the land affected for such purpose, and shall have paid all damages incident thereto. No railroad shall be required to be constructed with a grade in excess of the maximum ruling grade then existing upon that division of said railroad whereon said change is required."

Strike out lines 222 and 223 and insert the following words:

"Upon the completion of such plan, the board shall cause notice by publication to be given as provided in section 1 herein in each county of said district, of such completion of said plan, and shall permit the inspection thereof at their office by all persons interested. Said notice shall fix the time and place for the hearing of all objections to said plan not less than twenty days nor more than thirty days after the last publication of said notice. All objections to said plan shall be in writing and filed with the secretary of said board at his office not more than ten days after the last publication of said notice. After said hearing be-

fore the board of directors, the said board shall adopt a plan as the official plan of the said district. If, however, any person or persons object to said official plan, so adopted, then such person or persons may, within ten days, from the adoption of such official plan, file their objections in writing, specifying the features of the plan to which they object, in the original case establishing the district in the office of the clerk of said court, and he shall fix a day for the hearing thereof before the court, not less than twenty days nor more than thirty days after the time fixed for filing objections, at which time the judges, sitting as a court as provided for in section 6 herein, for the organization of the district, shall meet at a court house of the county where said original case is pending and hear said objections and adopt, reject or refer back said plan to said board of directors. A majority of the judges shall control and in case of a tie, shall proceed as provided in section 6 herein. If said court should reject said plan, then said board shall proceed as in the first instance under this section to prepare another plan. If the court should refer back said plan to said board for amendment, then the court shall continue the hearing to a day certain without publication of notice. If the said court should approve said plan as the official plan of said district, then a certified copy of said journal of said court."

In line 225 after the word "altered" insert the words, "in detail."

In line 253 after "ditches" insert "sewers."

In line 258 after the first word "construct" insert the words "or elevate," and insert after the word "roadways" the words "and streets;"

At the end of line 268 insert a comma in place of a period and add the following words: "to replat or subdivide land, open new roads, streets and alleys, or change the course of an existing one."

In line 276-b strike out the words "in which said district was organized."

In line 335 after the word "work", insert the words "of altering or removing said bridge or other structure."

Insert at end of line 338 the following words:

"In case the owner of any bridge or other structure shall object to the modification or removal of such bridge or other structure on the ground that the cost of the modification or removal will be greater than the benefits resulting from such removal, a hearing shall be had before the court of common pleas having the original case, and if such contention is sustained, such modification or removal shall not be required."

In line 930 strike out the word "on" and substitute "of."

In line 933 strike out the last word "for" and substitute "to."

In line 1077 strike out words "in whose names respectively" and substitute "the name of the registered owner thereof."

In line 1218, strike out words "specified in this section."

At the end of line 1353, strike out the word "the".

At the beginning of line 1354, strike out the words "Judges of the court of common pleas" and insert in lieu thereof the following words "one common pleas judge."

In line 1652, strike out word "complied" and substitute "complied."

In line 1735, change () to []

In line 1768, strike out "forms of bonds, and of coupons" and substitute "form of bond, and of coupon."

In line 1769, enclose "form of bond" in parenthesis.

In line 1789, change () to []

End of line 1616, add the following words: "This act shall not repeal the act passed April 10, 1913, and approved April 12, 1913 (vol. 103, page 141 O. L.), but it shall be an additional remedy."

In line 489 strike out the word "effect" and insert in lieu thereof the word "affect".

In line 1121 strike out the word "assessors" and insert in lieu thereof the word "appraisers".

After line 1930 add the following:

XI. EMERGENCY.

SECTION 79. EMERGENCY ACT. This act is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety. Such necessity exists by reason of the inadequacy of the present drainage systems of the state to carry off unusual rainfalls in a proper and safe manner, as shown by the disastrous floods of March, 1913, which may occur again at any time in the near future with a like unfortunate result in loss of life and property. The existing laws of the state are not adequate to meet this emergency.

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 68, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Foreman,	Morris,	Smith, of Butler,
Beatty,	Hastings,	Mueller,	Smith, of Morgan,
Behne,	Hite,	Murphy,	Snyder,
Beyer,	Hoaglin,	Nungesser,	of Hamilton,
Bishop,	Hoffman,	Orlikowski	Sweeney,
Boggs,	Holl,	Orrison,	Terrell,
Bour,	Hoover,	Pence,	Thatcher,
Brennan,	Horwitz,	Plank,	Thomas,
Capelle,	Hunter,	Plumb,	Venus,
Chapman,	Jackson,	Reid, of Fayette,	Vollmer,
Crawford,	Kathe,	Reynolds,	vonder Heide,
Deaton,	Kessler,	Rhulman,	Warnes,
Detrick,	Kilpatrick,	Schaefer,	Welsh,
Dickson,	Kramer,	Schweikert,	Williams,
Donaldson,	Lambert,	Scott,	Wintermute,
Ertel,	Leist,	Shanley,	Winters,
Fell,	Lowry,	Siebert,	Young—68.
Fellinger,			

Messrs. Clark and Colter voted in the negative.

The Senate amendments were concurred in.

Mr. Fellingier demanded a call of the House, which was duly seconded, taken and 99 members answered to their names:

Those absent were: Messrs.

Agler,	Duffey,	McGuffey,	Reppert,
Bonnell,	Guthery,	Mills,	Snyder,
Brennan,	Jenkins,	Morris,	of Pickaway,
Colter,	Kennedy,	Plank,	Stivers,
Cooper,	King, of Franklin,	Quinlisk,	Winans,
Diser,			

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. vonder Heide, further proceedings under the call were dispensed with.

And thereupon, by direction of the speaker, upon section 79, being the emergency section, of **H. B. No. 19**—Mr. vonder Heide, the yeas and nays were taken, and resulted—yeas 64, nays 34, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Jackson,	Rhulman,
Beatty,	Detrick,	Kathe,	Schweikert,
Behne,	Dickson,	Kessler,	Scott,
Beyer,	Ertel,	Kilrain,	Shanley,
Bigelow,	Etling,	King,	Siebert,
Bishop,	Fell,	of Ashtabula,	Smith, of Butler,
Black,	Fellinger,	Kramer,	Snyder,
of Hamilton,	Foreman,	Lambert,	of Hamilton,
Black,	Fulton,	Leist,	Sweeney,
of Wyandot,	Gilson,	Lowry,	Thomas,
Boggs,	Hastings,	Morris,	Venus,
Bour,	Hite,	Mueller,	Vollmer,
Brown,	Hoaglin,	Murphy,	vonder Heide,
of Ashland,	Hoffman,	Nungesser,	Warnes,
Cameron,	Holl,	Orrison,	Welsh,
Capelle,	Hoover,	Reid, of Fayette,	Wintermute,
Carroll,	Horwitz,	Reynolds,	Winters—64.
Chapman,			

Those who voted in the negative were: Messrs.

Anderson,	Criswell,	Lustig,	Schaefer,
Appenzeller,	of Morrow,	McCormick,	Smith, of Morgan,
Barthelmeh,	Davis,	Nye,	Tetlow,
Brown, of Union,	Deaton,	Orlikowski	Thatcher,
Clark,	Doster,	Pence,	White,
Colter,	Freeman,	Plank,	Williams,
Conover,	Hunter,	Plumb,	Woodworth,
Crawford,	Kemerer,	Reighard,	Young—34.
Criswell,	Kilpatrick,	Robinson,	
of Coshocton,			

The emergency section, not having received a constitutional majority, was lost.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 46—Mr. Clark.

To amend sections 6373-1, 6373-2, 6373-3, 6373-4, 6373-5, 6373-6, 6373-7, 6373-8, 6373-9, 6373-10, 6373-11, 6373-12, 6373-13, 6373-14, 6373-15, 6373-16 and 6373-24 of the General Code of Ohio, to further regulate the sale of bonds, stocks and other securities and of real estate not located in Ohio and to prevent fraud in such sales.

On motion of Mr. Clark, the rule requiring bills to be printed and distributed for the use of the members before the reference thereof was suspended and **H. B. No. 46** was referred at once to the Committee on Insurance.

By unanimous consent, Mr. Fellinger submitted the following report:

The standing committee on Insurance, to which was referred **H. B. No. 46**—Mr. Clark, having had the same under consideration, reports it back and recommends its passage:

H. FELLINGER,
LOUIS HORWITZ
C. A. REID,
C. M. FOREMAN,

WM. G. BEATTY,
GEO. W. HOLL,
JAMES NYE,
W. A. HITE,

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

On motion of Mr. Lowry, the House adjourned at 4:10 o'clock p. m.

Attest:

JOHN R. CASSIDY,
Clerk.

Hall of the House of Representatives, Columbus, Ohio,

Friday, February 6, 1914, 9:00 o'clock A. M.

The House met pursuant to adjournment.

Prayer was offered by the Reverend D. J. Starr, of Columbus.

The journal of yesterday was read and approved.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 20 — Mr. Hudson.

To authorize the appointment of a school book commission, to regulate the price of school books.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time and referred to the committee on Public Schools.

Mr. Clark moved that the rule requiring bills after being reported back from committee to be placed on the calendar for second reading for the second day following, be suspended, and bills on the calendar for second reading be taken up.

The motion was agreed to.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

To the General Assembly:

One of the crying protective needs of our State is the admission of mutual fire insurance companies under such safeguards as will adequately protect the insured, and at the same time invite the entrance of the best and safest of these mutuals.

The present laws neither furnish satisfactory nor sufficient standards of solvency for such mutual companies, nor do our present statutes give to the Superintendent of Insurance sufficient power to compel a restoration of an impairment of their capital before they become wholly insolvent.

I, therefore, recommend to your honorable body such legislation as will prevent the admission of mutual insurance companies of doubtful solvency, at the same time inviting within the confines of the State the best class mutuals of the country.

JAMES M. COX,
Governor.

February 6, 1914.

Mr. Lowry moved that the matter contained in the Governor's message be referred at once to the proper committee.

The motion was agreed to and the matter was referred to the committee on Insurance.

The following bill was introduced and read the first time:

H. B. No. 48 — Mr. Fellingner.

Relating to the organization and admission of mutual fire insurance companies and repealing certain sections of the General Code.

Mr. Fellingner moved that the rule requiring bills to be printed and distributed for the use of the members before the reference thereof be suspended and said bill be referred at once to committee.

The motion was agreed to and **H. B. No. 48** was referred at once to the committee on Insurance.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following Joint Resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 9 — Mr. Dollison.

Creating a commission to investigate the subject of free text-books.

Attest:

W. V. GOSHORN,
Clerk.

The resolution was referred to the committee on Public Schools.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 43 — Mr. Reid.

To amend sections 8572-1, 8572-6, 8572-16, 8572-18, 8572-22, 8572-28, 8572-43, 8572-44, 8572-51, 8572-67, 8572-77, 8572-80, 8572-94, 8572-99, 8572-112, 8572-113, and 8572-114 relating to the registration of land titles.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 5 — Mr. Guthery.

With the following amendments in which the concurrence of the House of Representatives is requested:

Add the following sections:

SECTION 3. No state bank or national bank shall act as administrator, executor, trustee or registrar of stocks and bonds in this state. Provided, however, that trust companies organized under the laws of Ohio shall have the same powers in the acceptance and execution of trusts which are now conferred upon them by law, and other state banks and national banks may have the same powers in the acceptance and execution of trusts which are now conferred by law upon trust companies, upon such state banks and national banks complying with all the requirements, regulations and conditions imposed by the laws of Ohio upon trust companies in the matter of the acceptance and execution of trusts.

SECTION 4. That section 9764 of the General Code be amended to read as follows:

Sec. 9764. Savings banks shall keep as reserve at least ten per cent of their total deposits, at least six per cent of that part of such deposits which is payable on demand, and at least two per cent of that part of such deposits which are time deposits shall be kept in the vaults of the bank in lawful money, national bank notes, or bills, notes, and gold or silver certificates issued by the United States; at least three per cent of such deposits which are time deposits may be invested in the securities named in paragraphs "b" and "c" of section 9758 of the General Code or the bonds of any city or county within this state; that part of such reserve not so kept or invested, shall be kept, subject to demand in other banks or trust companies, as designated by resolution of the board of directors for that purpose, a copy of which, upon its adoption, shall be forthwith for that purpose, a copy of which, upon its adoption, shall be forthwith certified to the superintendent of banks and the depository thus designated shall be subject to the approval of the superintendent of banks. If the superintendent of banks withholds his approval appeal may be made in the manner provided in section 9759 of the General Code.

SECTION 5. That said original section 9764 of the General Code be, and the same is hereby repealed.

At the end of line 24 strike out period and add "except as provided in this act".

In the title change the period after the word "Ohio" to a comma and add the following, "and to amend Section 9764 of the General Code".

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 43, nays 54, as follows:

Those who voted in the affirmative were: Messrs.

Beatty,	Cowan,	King,	Snyder,
Behne,	Davis,	of Ashtabula,	of Pickaway,
Beyer,	Doster,	Kramer,	Terrell,
Bigelow,	Ertel,	Lambert,	Tetlow,
Black,	Fulton,	Mills,	Venus,
of Wyandot,	Guthery,	Orlikowski	Vollmer,
Bour,	Hite,	Plank,	Warnes,
Brennan,	Hoaglin,	Schaefer,	Welsh,
Brown, of Union,	Hoffman,	Shanley,	White,
Clark,	Horwitz,	Smith, of Butler,	Wintermute,
Conover,	Kilpatrick,	Snyder,	Winters,
	Kilrain,	of Hamilton,	Young—43.

Those who voted in the negative were: Messrs.

Acker,	Carroll,	Donaldson,	Kathe,
Anderson,	Chapman,	Fell,	Kemerer,
Appenzeller,	Crawford,	Fellinger,	Kennedy,
Barthelmeh,	Criswell,	Freeman,	King, of Franklin,
Bishop,	of Coshocton,	Gilson,	Lowry,
Black,	Criswell,	Hastings,	Lustig,
of Hamilton,	of Morrow,	Holl,	McCormick,
Boggs,	Deaton,	Hoover,	McGuffey,
Cameron,	Detrick,	Hunter,	Mueller,
Capelle,	Dickson,	Jackson,	Nungesser,

Those who voted in the negative were: Messrs.—Concluded.

Nye,	Robinson,	Smith, of Morgan,	Vollmer,
Pence,	Schweikert,	Sweeney,	Williams,
Reid, of Fayette,	Scott,	Thatcher,	Winans,
Reighard,	Siebert,	Thomas,	Woodworth—54.
Rhulman,			

The Senate amendments were not concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 27 — Mr. Holden.

To authorize an investigation of the judicial system of Ohio and a report as to the best method of securing more speedy and less expensive administration of justice.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time and referred to the committee on Judiciary.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 25 — Mr. Jung.

To amend section 1655 of the General Code, so as to bring under the jurisdiction of the Juvenile Court, those who neglect, abuse, etc., illegitimate or step-children, and men who refuse to support women made pregnant by them.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Black, of Hamilton, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 25** was read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Kilpatrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 18, after the (.) period strike out all the rest of the line, strike out lines 19 to 25 inclusive.

Mr. Reighard demanded the previous question, which was duly seconded. The question was, "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was, "Shall the motion of Mr. Kilpatrick be agreed to?"

The motion was agreed to, and Mr. Kilpatrick was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was not ordered read the third time.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bills:

H. B. No. 40 — Mr. Orrison.

To release the claim of the state against the Columbus Savings & Trust Company.

H. B. No. 41 — Mr. Kilpatrick.

To provide for the appointment of one member of the tax commission of Ohio, and to so arrange that appointments to said commission may be hereafter made as provided in section 1495-1 of the General Code, passed June 2, 1911.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lustig moved that the vote by which **H. B. No. 42** — Mr. Bour, was lost be reconsidered.

Mr. Warnes moved that the House recess until 1:30 o'clock P. M.

The motion was disagreed to.

The question recurred "Shall the motion of Mr. Lustig be agreed to?"

The yeas and nays were taken, and resulted — yeas 54, nays 32, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Clark,	Kilrain,	Snyder,
Beatty,	Cowan,	King,	of Pickaway,
Behne,	Criswell,	of Ashtabula,	Sweeney,
Beyer,	of Coshocton,	Lustig,	Terrell,
Bigelow,	Deaton,	Mills,	Thomas,
Bishop,	Donaldson,	Nungesser,	Venus,
Black,	Doster,	Nye,	Vollmer,
of Hamilton,	Fell,	Orlikowski,	vonder Heide,
Black,	Fellinger,	Orrison,	Walsh,
of Wyandot,	Hoffman,	Schaefer,	Warnes,
Bour,	Holl,	Schweikert,	Welsh,
Brennan,	Horwitz,	Shanley,	Wintermute,
Cameron,	Kathe,	Siebert,	Winters,
Capella,	Kennedy,	Smith, of Butler,	Young—54.
Carroll,	Kilpatrick,	Snyder,	
		of Hamilton,	

Those who voted in the negative were: Messrs.

Anderson,	Detrick,	McCormick,	Rhulman,
Boggs,	Freeman,	McGuffey,	Robinson,
Brown,	Gilson,	Pence,	Scott,
of Ashland,	Hoover,	Plank,	Smith, of Morgan,
Brown, of Union,	Hunter,	Plumb,	Tetlow,
Conover,	Jackson,	Reid, of Fayette,	White,
Crawford,	Kemerer,	Reighard,	Winans,
Criswell,	King, of Franklin,	Reynolds,	Woodworth—32.
of Morrow,	Lowry,		

The motion was agreed to, and **H. B. No. 42** — Mr. Bour, was taken up.

The question was "Shall the bill pass?"

Mr. Black, of Hamilton, moved that the House recess until 1:30 o'clock P. M.

The motion was agreed to.

1:30 o'clock P. M.

The House met pursuant to recess.

The question was, "Shall **H. B. No. 42**—Mr. Bour, pass?"

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 14—Mr. Morris.

To amend sections 7805, 7806, 7807, 7808, 7810, 7811 to 7823 inclusive, 7825, 7830, 7831, 7832, 7832-1, 7834, 7835, 7836, 7837, 7839, 7844, 7845, 7846, 7847, 7854, 7855, 7857, 7858, to add supplementary sections 7807-1 to 7807-6 inclusive, 7821-1, 7821-2, 7822-1, 7823-1 and 7832-2, and to repeal sections 7740, 7741, 7848, 7858-1 to 7858-7 inclusive of the General Code, relating to the certification and examination of teachers in the public schools.

With the following amendments, in which the concurrence of the House of Representatives is requested:

In line 36, after "in" insert "educational subjects including".

In line 92, after the word "teacher" insert a comma (,) and the following words "the latter two".

In line 95, after "district" insert "or of an exempted village school district".

In line 259, after the word "study" insert "three of which branches shall be algebra, rhetoric and physics".

After line 284, insert the following section: "7832-3. The county board of school examiners shall grant one year certificates to graduates of first grade high schools who have completed in addition to the high school a one year professional course in any high school or normal school which has been approved by the superintendent of public instruction".

Strike out Sec. 7838 and insert the following section:

"Sec. 7838. There shall be a city board of school examiners for each city school district. Such board shall consist of the city superintendent of schools and two other competent teachers serving full time in the day schools of such city to be appointed by the city board of education. The term of office of such examiners shall be * * * two years each; * * * and shall expire on the thirty-first day of August.
* * *

In line 28 insert a dash between the words "one year"

In line 32 insert a dash between the words "two year"

In line 316F substitute the word "two" for "three".

In line 155 after the word "education" insert the word "fund."

In line 172 after the word "education" strike out the period and add the word "fund."

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted—yeas 82, nays 2, as follows:

. Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilpatrick,	Robinson,
Anderson,	of Morrow,	Kilrain,	Schaefer,
Barthelmeh,	Davis,	King,	Schweikert,
Beatty,	Deaton,	of Ashtabula,	Shanley,
Behne,	Detrick,	Kramer,	Smith, of Butler,
Beyer,	Dickson,	Lambert,	Smith, of Morgan,
Bigelow,	Donaldson,	Lustig,	Snyder,
Black,	Doster,	Mills,	of Pickaway,
of Hamilton,	Etling,	Morris,	Sweeney,
Black,	Fell,	Mueller,	Terrell,
of Wyandot,	Fellinger,	Murphy,	Thatcher,
Bour,	Foreman,	Nungesser,	Thomas,
Brennan,	Freeman,	Nye,	Venus,
Brown,	Hoaglin,	Orlikowski,	Vollmer,
of Ashland,	Hoffman,	Orrison,	vonder Heide,
Cameron,	Holl,	Pence,	Walsh,
Capelle,	Hoover,	Plank,	Warnes,
Chapman,	Horwitz,	Plumb,	White,
Conover,	Hunter,	Reid, of Fayette,	Winans,
Crawford,	Jackson,	Reighard,	Wintermute,
Criswell,	Kathe,	Reynolds,	Winters,
of Coshocton,	Kennedy,	Rhulman,	Woodworth,
			Young—82.

Messrs. Gilson and Kemerer voted in the negative.

The Senate amendments were concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 24 — Mr. Detrick.

To amend sections 7868 and 7869 of the General Code and to add supplemental sections 7654-1, 7654-2, 7654-3, 7654-4, 7654-5, 7654-6, 7654-7, and 7868-1 of the General Code relating to the training of teachers for village and rural schools.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bills:

H. B. No. 44 — Mr. Deaton.

To authorize county commissioners to transfer funds for the purpose of paying orders for blind relief.

H. B. No. 31 — Mr. Leist.

Relative to appropriating money for the assistance of weak school districts.

H. B. No. 38 — Mr. Hastings.

To amend Section 1 of "An act to authorize county commissioners, township trustees, boards of education, road commissioners, councils of municipal corporations and boards and officers thereof temporarily to repair, reconstruct and replace public property and public ways destroyed or injured by floods occurring in March and April, 1913; to authorize county commissioners and councils of municipal corporations to borrow and expend money for the purpose of cleansing public places and private grounds and buildings and removing therefrom any matter

deposited therein by said flood which is inimical to the public health, safety or convenience; and to exempt proceedings for the permanent repair, reconstruction and replacement of such public property and public ways, and bonds issued and levies made for such purposes from certain requirements and limitations" (103 Ohio Laws 141), relating to expenditures rendered necessary by floods.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate insists on its amendments to

Am. H. B. No. 5—Mr. Guthery.

and asks for a committee of Conference.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Terrell moved that the House accede to the request of the Senate and that a committee of conference be appointed.

The motion was agreed to and the speaker appointed as managers on the part of the House: Messrs. Guthery, Terrell and Reid.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 34—Mr. Welsh.

To amend sections 6072, 6087 and 6091 of the General Code, relating to the duties of certain inspectors and to the assessment of the liquor traffic tax.

With the following amendments, in which the concurrence of the House of Representatives is requested:

In line 2 strike out the comma and insert the word "and". In the same line strike out "and 6091".

In line 6 strike out the word "November" and insert the words "May of".

In line 22 strike out all after the word "inspectors" and all of lines 23 and 24, and insert in lieu thereof the following: "may summon and compel the attendance of witnesses before them to testify in relation to any matter which by law is a subject of inquiry and investigation and require the production of any book, paper or document which they deem pertinent. They shall have authority to administer an oath to any person appearing as a witness before them. They may at all reasonable hours enter into all buildings and upon all premises within their jurisdiction for the purpose of examination."

Strike out lines 25 to 28 inclusive.

In line 29 strike out the comma and in lieu thereof insert the word "and". In the same line strike out "and 6091."

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted—yeas 69, nays 13, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Deaton,	Lambert,	Smith, of Morgan,
Beatty,	Detrick,	Lustig,	Snyder,
Behne,	Dickson,	Mills,	of Hamilton,
Bigelow,	Doster,	Morris,	Snyder,
Black,	Ertel,	Nungesser,	of Pickaway,
of Hamilton,	Etling,	Orlikowski,	Sweeney,
Black,	Fell,	Orrison,	Terrell,
of Wyandot,	Fulton,	Plank,	Thomas,
Bour,	Hoffman,	Plumb,	Venus,
Brennan,	Horwitz,	Reid, of Fayette,	Vollmer,
Brown, of Union,	Jackson,	Reighard,	vonder Heide,
Cameron,	Kathe,	Reynolds,	Walsh,
Capelle,	Kennedy,	Schaefer,	Warnes,
Carroll,	Kilpatrick,	Schweikert,	White,
Chapman,	Kilrain,	Scott,	Wintermute,
Clark,	King,	Shanley,	Winters,
Conover,	of Ashtabula,	Siebert,	Woodworth,
Cowan,	King, of Franklin,	Smith, of Butler,	Young—69.
Davis,	Kramer,		

Those who voted in the negative were: Messrs.

Anderson,	Gilson,	Hoover,	Rhulman,
Appenzeller,	Hastings,	Hunter,	Robinson,
Crawford,	Holl,	Kemerer,	Winans—13.
Freeman,			

The Senate amendments were concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 11 — Mr. Mills.

To amend sections 3939, 3949, 3927 and 499-14 of the General Code, to carry out the provisions of section 4 of Article 18 of the Constitution of Ohio, and to provide for the sale of bonds of small denominations issued by municipalities for public utilities, with the following amendments, in which the concurrence of the House of Representatives is requested:

In line 69, strike out all after the period, and strike out all of lines 69a to 69m, inclusive.

Strike out all of lines 86 to 86d inclusive, and insert in lieu thereof the following:

f. Bonds issued for the purpose of * * * acquiring, constructing, improving, equipping, or extending any public utility when the income from such * * * public utility is sufficient to cover the cost of all operating expenses, interest charges and to pass a sufficient amount to a sinking fund to retire such bonds when they become due.

In line 108, before the word "The" insert "Sec. 499-14."

In line 116, before the word "be" strike out the comma, and insert "Sec. 499-14,"

In line 2, strike out the word "and" and insert a comma in lieu thereof.

In line 2, before the word "of" insert "and 499-14."

Amend the title as follows:

In line 1, strike out the word "and" and insert a comma in lieu thereof.

In the same line, before the word "of" insert "and 499-14."

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted—yeas 36, nays 62, as follows:

Those who voted in the affirmative were: Messrs.

Beatty,	Criswell,	Lowry,	Smith, of Butler,
Bigelow,	of Morrow,	Lustig,	Snyder,
Black,	Detrick,	Mills,	of Hamilton,
of Hamilton,	Donaldson,	Nye,	Sweeney,
Black,	Doster,	Orlikowski,	Terrell,
of Wyandot,	Etling,	Orrison,	Tetlow,
Bour,	Fellinger,	Schaefer,	Vollmer,
Brennan,	Hoffman,	Schweikert,	Walsh,
Clark,	Kilpatrick,	Shanley,	Warnes,
Cowan,	Kilrain,	Siebert,	Young—36.

Those who voted in the negative were: Messrs.

Acker,	Criswell,	Kemerer,	Reighard,
Anderson,	of Coshocton,	Kennedy,	Reynolds,
Appenzeller,	Davis,	King,	Rhulman,
Barthelmeh,	Deaton,	of Ashtabula,	Robinson,
Behne,	Dickson,	King, of Franklin,	Scott,
Bishop,	Ertel,	Kramer,	Smith, of Morgan,
Boggs,	Foreman,	Lambert,	Snyder,
Brown,	Freeman,	McCormick,	of Pickaway,
of Ashland,	Fulton,	McGuffey,	Thatcher,
Brown, of Union,	Gilson,	Mueller,	Thomas,
Cameron,	Guthery,	Murphy,	Venus,
Capelle,	Hastings,	Nungesser,	vonder Heide,
Carroll,	Holl,	Pence,	White,
Chapman,	Hoover,	Plank,	Winans,
Conover,	Hunter,	Plumb,	Wintermute,
Crawford,	Jackson,	Reid, of Fayette,	Winters,
	Kathe,		Woodworth—62.

The Senate amendments were not concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 24—Mr. Gregory.

To amend section 1639 of the General Code so as to provide for the election of one of the common pleas judges of the First Judicial District as a judge of the court of common pleas, division of domestic relations, and to provide for assigning to him all juvenile court work and all divorce and alimony cases.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Snyder, of Hamilton, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 24** was read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Snyder, of Hamilton, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 24** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 83, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kemerer,	Robinson,
Anderson,	of Morrow,	Kennedy,	Schaefer,
Barthelmeh,	Davis,	Kilpatrick,	Schweikert,
Beatty,	Deaton,	Kilrain,	Scott,
Behne,	Detrick,	King,	Shanley,
Bigelow,	Dickson,	of Ashtabula,	Siebert,
Bishop,	Donaldson,	King, of Franklin,	Smith, of Butler,
Black,	Doster,	Lambert,	Snyder,
of Hamilton,	Etling,	Lowry,	of Hamilton,
Black,	Fell,	Lustig,	Snyder,
of Wyandot,	Fellinger,	McGuffey,	of Pickaway,
Boggs,	Foreman,	Morris,	Terrell,
Bour,	Freeman,	Mueller,	Thatcher,
Brennan,	Fulton,	Murphy,	Venus,
Brown, of Union,	Gilson,	Nungesser,	Vollmer,
Cameron,	Guthery,	Nye,	vonder Heide,
Capelle,	Hastings,	Orlikowski,	Welsh,
Chapman,	Hite,	Orrison,	White,
Clark,	Hoaglin,	Pence,	Wintermute,
Conover,	Hoffman,	Plank,	Winters,
Crawford,	Holl,	Reighard,	Woodworth,
Criswell,	Hoover,	Rhulman,	Young—83.
of Coshocton,	Hunter,		

The bill was passed. The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 26 — Mr. Cook.

To amend section 1637 of the General Code to take away the jurisdiction of the Insolvency Court in divorce and alimony cases.

Attest:

W. V. GOSHORN,

Clerk.

Said bill was read the first time.

On motion of Mr. Snyder of Hamilton, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 26** was read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Snyder, of Hamilton, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 26** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 67, nays 6, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	King,	Smith, of Morgan,
Anderson,	Criswell,	of Ashtabula,	Snyder,
Barthelmeh,	of Coshocton,	Lambert,	of Hamilton,
Beatty,	Davis,	Lowry,	Snyder,
Behne,	Deaton,	Lustig,	of Pickaway,
Bigelow,	Dickson,	McCormick,	Sweeney,
Bishop,	Donaldson,	McGuffey,	Terrell,
Black,	Doster,	Nungesser,	Tetlow,
of Hamilton,	Ertel,	Orlikowski,	Thatcher,
Black,	Fell,	Orrison,	Thomas,
of Wyandot,	Fellinger,	Plank,	Venus,
Boggs,	Freeman,	Plumb,	Vollmer,
Bour,	Hastings,	Rhulman,	vonder Heide,
Brennan,	Hoffman,	Schaefer,	Walsh,
Brown, of Union,	Holl,	Schweikert,	Welsh,
Chapman,	Kathe,	Shanley,	White,
Clark,	Kilpatrick,	Siebert,	Wintermute,
Cowan,	Kilrain,	Smith, of Butler,	Winters,
			Young—67.

Messrs. Capelle, Hoover, Kemerer, King of Franklin, Pence and Woodworth voted in the negative.

The bill was passed. The title was agreed to.

Mr. Chapman demanded a call of the House, which was duly seconded, taken and 100 members answered to their names:

Those absent were: Messrs.

Agler,	Diser,	Jenkins,	Quinlisk,
Bonnell,	Duffey,	Kessler,	Reppert,
Brown, of Union,	Etling,	King, of Franklin,	Stivers,
Cooper,	Freeman,	Leist,	Winans.
Crawford,	Horwitz,	Lustig,	

The sergeant-at-arms was ordered to dispatch his messenger for absentees.

On motion of Mr. Kilpatrick, further proceedings under the call were dispensed with.

Mr. Clark moved that the vote by which the emergency section on **H. B. No. 19**—Mr. vonder Heide, was lost, be reconsidered.

The motion was agreed to and section 79, being the emergency section, was taken up.

The question was, "Shall the emergency section be adopted?"

The yeas and nays were taken, and resulted—yeas 85, nays 16, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bour,	Crawford,	Foreman,
Appenzeller,	Brennan,	Criswell,	Fulton,
Barthelmeh,	Brown,	of Coshocton,	Guthery,
Beatty,	of Ashland,	Criswell,	Hastings,
Behne,	Brown, of Union,	of Morrow,	Hite,
Beyer,	Cameron,	Detrick,	Hoaglin,
Bigelow,	Capelle,	Dickson,	Hoffman,
Bishop,	Carroll,	Donaldson,	Holl,
Black,	Chapman,	Doster,	Hoover,
of Hamilton,	Clark,	Ertel,	Horwitz,
Black,	Colter,	Etling,	Jackson,
of Wyandot,	Conover,	Fell,	Kathe,
Boggs,	Cowan,	Fellinger,	Kemerer,

Those who voted in the affirmative were: Messrs. — Concluded.

Kennedy,	Murphy,	Schaefer,	Sweeney,
Kilrain,	Nye,	Schweikert,	Thatcher,
Kramer,	Orlikowski,	Scott,	Thomas,
Lambert,	Orrison,	Shanley,	Venus,
Lowry,	Pence,	Siebert,	vonder Heide,
Lustig,	Plank,	Smith, of Butler,	Walsh,
McCormick,	Reid, of Fayette,	Snyder,	Warnes,
McGuffey,	Reighard,	of Hamilton,	Welsh,
Morris,	Reynolds,	Snyder,	Winans,
Mueller,	Rhulman,	of Pickaway,	Winters—85.

Those who voted in the negative were: Messrs.

Anderson,	Kilpatrick,	Robinson,	White,
Davis,	Mills,	Smith, of Morgan,	Williams,
Deaton,	Nungesser,	Terrell,	Woodworth,
Hunter,	Plumb,	Tetlow,	Young—16.

The emergency section was adopted.

The question recurred, "Shall **H. B. No. 42** — Mr. Bour, pass?"

Mr. Kilpatrick moved that the rule permitting no debate or amendment to a bill after third reading be suspended and that debate or amendment be permitted on said bill.

The motion was agreed to.

Mr. Kilpatrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 5 strike out the semicolon (;) and in lieu thereof insert a comma (,) and the word "therefore".

Strike out lines 11 to 13-j inclusive.

The motion was agreed to, and Mr. Kilpatrick was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 65, nays 38, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Kilrain,	Snyder,
Beatty,	Davis,	Kramer,	of Hamilton,
Behne,	Detrick,	Lowry,	Snyder,
Beyer,	Donaldson,	Lustig,	of Pickaway,
Bigelow,	Doster,	McGuffey,	Sweeney,
Bishop,	Ertel,	Mills,	Terrell,
Black,	Etling,	Mueller,	Thatcher,
of Hamilton,	Fellinger,	Murphy,	Thomas,
Black,	Foreman,	Nungesser,	Venus,
of Wyandot,	Fulton,	Nye,	Vollmer,
Bour,	Guthery,	Orlikowski,	vonder Heide,
Brennan,	Hoffman,	Orrison,	Walsh,
Cameron,	Holl,	Schaefer,	Warnes,
Capelle,	Horwitz,	Schweikert,	Welsh,
Carroll,	Kathc,	Shanley,	Wintermute,
Chapman,	Kennedy,	Siebert,	Winters,
Clark,	Kilpatrick,	Smith, of Butler,	Young—65.
Colter,			

Those who voted in the negative were: Messrs.

Anderson,	Brown,	Crawford,	Criswell,
Appenzeller,	of Ashland,	Criswell,	of Morrow,
Barthelmeh,	Brown, of Union,	of Coshocton,	Deaton,
Boggs,	Conover,		Fell,

Those who voted in the negative were: Messrs. — Concluded.

Freeman,	Kemerer,	Plank,	Scott,
Gilson,	King, of Franklin,	Reid, of Fayette,	Smith, of Morgan,
Hastings,	Lambert,	Reighard,	Tetlow,
Hoaglin,	McCormick,	Reynolds,	White,
Hoover,	Morris,	Rhulman,	Williams,
Hunter,	Pence,	Robinson,	Woodworth—38.
Jackson,			

The bill was passed. The title was agreed to.

By unanimous consent, Mr. Fellingner submitted the following report:

The standing committee on Insurance, to which was referred
H. B. No. 48 — Mr. Fellingner, having had the same under consideration, reports it back and recommends its passage.

H. FELLINGER,	R. R. KENNEDY,
WM. G. BEATTY,	W. A. HITE,
LOUIS HORWITZ,	C. A. REID,
JOHN F. KRAMER,	C. P. VENUS.

The report was agreed to.

Mr. Fellingner moved that the rule requiring bills after being reported back from committee to be placed on the calendar for second reading for the second day following, be suspended, and said bill be engrossed at the clerk's desk and read the second time now.

The motion was agreed to and **H. B. No. 48** was read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Fellingner moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the period at the end of section 9, add the words:

"No such company shall provide for a contingent liability of less than three times the cash premium in the policy, until and unless it possesses surplus of at least twenty-five thousand dollars."

The motion was agreed to, and Mr. Fellingner was appointed such committee, and reported the bill amended as instructed.

Mr. Fellingner moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the period at the end of Section 22, add the words:

"This section shall not apply to any company now licensed to do business in this state, whose name does not now contain the word 'mutual', unless it does now, or hereafter shall, issue policies which are subject to contingent liability or assessment".

The motion was agreed to, and Mr. Fellingner was appointed such committee, and reported the bill amended as instructed.

Mr. Hite moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 225 after "Sub-div" strike out "II" and in lieu thereof insert "II"

In line 238 strike out "Such a" and in lieu thereof insert "Any"

In line 159 strike out "unless" and in lieu thereof insert "and in all cases"

The motion was agreed to, and Mr. Hite was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Fellingner, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 48** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 66, nays 13, as follows:

Those who voted in the affirmative were: Messrs.

Beatty,	Conover,	Kilpatrick,	Snyder,
Bigelow,	Cowan,	King, of Franklin,	of Hamilton,
Bishop,	Criswell,	Lowry,	Snyder,
Black,	of Coshocton,	Lustig,	of Pickaway,
of Hamilton,	Deaton,	McGuffey,	Sweeney,
Black,	Detrick,	Mills,	Terrell,
of Wyandot,	Donaldson,	Morris,	Tetlow,
Boggs,	Doster,	Mueller,	Thatcher,
Bour,	Etling,	Orlikowski,	Thomas,
Brennan,	Fellinger,	Orrison,	Venus,
Brown,	Foreman,	Rhulman,	Vollmer,
of Ashland,	Fulton,	Robinson,	vonder Heide,
Brown, of Union,	Guthery,	Schaefer,	Walsh,
Cameron,	Hite,	Schweikert,	Warnes,
Capelle,	Hoffman,	Shanley,	Welsh,
Carroll,	Hoover,	Siebert,	White,
Chapman,	Horwitz,	Smith, of Butler,	Wintermute,
Clark,	Kathe,		Winters,
			Young—66.

Those who voted in the negative were: Messrs.

Acker,	Freeman,	Hunter,	McCormick,
Anderson,	Gilson,	Jackson,	Reighard,
Appenzeller,	Hastings,	Kemerer,	Scott—13.
Fell,			

The bill was passed.

Mr. Hite moved to amend the title as follows:

Strike out all of title after the second "and" and add "and to repeal sections 630, 631, 632, 9525, 9526, 9528, 9538, 9550, 9551, 9552, 9553, 9557, 9558 and 9574 of the General Code"

The motion was agreed to.

The title as amended was agreed to.

Mr. Cowan moved that the rules be suspended and **H. B. No. 47**—Mr. Cowan, be taken from its place on the calendar and be now considered.

The motion was agreed to and **H. B. No. 47**—Mr. Cowan, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows:

After lines 17, 66, 87, 136, 139, 146, 148, 152, 156, 159, 162 and 165 insert the word "receipts".

In line 31 strike out "Blue Sky Department" and insert "Securities Bureau".

Between the lines 87 and 88 insert the words "Receipts and Balances".

In line 78 strike out the figures \$3547.50 and insert "\$5000.00".

In line 81, after "maintenance...." insert:

"All balances remaining unexpended in the house contingent fund, clerks' contingent fund and maintenance of the house fund from any former appropriation acts, including the act entitled 'An act to make

general appropriations' (103 O. L. 611), after paying therefrom all unpaid claims outstanding against the same on the 16th day of February, 1914, which unexpended balances are made available for reclassification under the head of maintenance."

In line 131 strike out the word "balances".

In line 165 strike out "175, 758" and insert "180, 758."

In lines 192, 194, 196, 198, 200 and 202 strike out "Balances".

After line 200 insert "Secretary of State, Automobile Registration Dept., Receipts".

After line 202 insert "State Board of Accountancy, Receipts".

In line 56 strike out "\$3940" and insert "\$4350, \$410.00 to be used as salary for Notarial Clerk."

In line 59 strike out "33,910.00" and insert "40,310.00" and in line 60 strike out "9,916.00" and insert "10,316.00."

In line 128 after the word "Sanatorium" insert the following: "Balances in the appropriation for ordinary repairs and improvements and balances in all appropriations made for specific purposes."

In line 206 before the word "are" insert the words: "except as herein otherwise expressly provided."

In line 213 after the word "Section" strike out the figure "4" and insert the figure "3".

In line 227 after the word "Section" strike out the figure "5" and insert the figure "4".

In line 239 after the word "Section" strike out the figure "6" and insert the figure "5".

In line 261 after the word "Section" strike out the figure "7" and insert the figure "6".

Strike out lines 208 to 212 inclusive.

After line 171, insert the following:

"For compensation of the members of the civil service commission, \$12,000.00.

It is hereby provided that each of said commissioners shall receive the sum of \$4,000.00, provided the extra \$1,500.00 be allowed the president of the commission as fixed in Section 4 of the civil service law, and that each of the said commissioners shall devote all his time to the duties that may be assigned him by the commission and make no charge to the state for expenses while in the city of Columbus, Ohio, and accept said additional sum of \$1,500.00 each in lieu of such expenses while in the city of Columbus, and as full compensation for said added services during the year."

In line 20 strike out "92995.11" and insert "94995.11".

The motion was agreed to, and Mr. Cowan was appointed such committee, and reported the bill amended as instructed.

Mr. Capelle moved to refer the bill to a select committee of one, with instructions to amend as follows: In line 102 after "personal service", strike out "\$12,340" and insert "\$2,340."

The motion was agreed to, and Mr. Capelle was appointed such committee, and reported the bill amended as instructed.

Mr. Kennedy moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out all of line 87.

The motion was disagreed to.

Mr. Black, of Hamilton, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 183 strike out "House Bill No. 134 passed by the 80th General Assembly of Ohio" and insert "an act".

In line 184 after "an act" insert:

"To amend section 1 of an act passed the 8th day of April, 1913, and approved the 15th day of April, 1913, entitled "An act providing a levy and to create a fund for the purposes provided in the act passed May 31st, 1911, entitled, 'An act creating a state highway department, defining the duties thereof and providing aid in the construction and maintenance of highways and to repeal certain sections of the General Code,' approved June 9th, 1911, (102 Ohio Laws, page 333-349) and for other purposes defined herein," passed April 16, 1913."

In line 184 strike out all after "an act"

Strike out lines 185 and 186

The motion was disagreed to.

Mr. Kilpatrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 240 strike out "presented to the auditor," and after the word "by" insert "and presented to the Auditor of State by".

In line 243 after the word "approve" insert "and present".

The motion was agreed to, and Mr. Kilpatrick was appointed such committee, and reported the bill amended as instructed.

Mr. Crawford moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 16, strike out "264,208.00" and insert in lieu thereof "250,000.00."

In line 17, strike out "155,218.15" and insert in lieu thereof "140,218.15."

The motion was disagreed to.

Mr. Hite moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 186, change the period to a comma and add "and acts amendatory and supplementary thereto".

The motion was agreed to, and Mr. Hite was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Cowan, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 47** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 72, nays 25, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Brennan,	Dickson,	Kathe,
Appenzeller,	Brown,	Donaldson,	Kennedy,
Barthelmeh,	of Ashland,	Doster,	Kilrain,
Beatty,	Cameron,	Ertel,	Kramer,
Behne,	Carroll,	Etling,	Lambert,
Beyer,	Chapman,	Fell,	Lowry,
Bigelow,	Clark,	Fellinger,	Lustig,
Bishop,	Colter,	Foreman,	McGuffey,
Black,	Cowan,	Fulton,	Mills,
of Hamilton,	Crisswell,	Hite,	Morris,
Black,	of Coshocton,	Hoaglin,	Mueller,
of Wyandot,	Crisswell,	Hoffman,	Murphy,
Boggs,	of Morrow,	Holl,	Nungesser,
Bour,	Detrick,	Horwitz,	Orlikowski,

Those who voted in the affirmative were: Messrs. — Concluded.

Rhulman,	Smith, of Butler,	Thomas,	Welsh,
Schaefer,	Snyder,	Venus,	Wintermute,
Schweikert,	of Hamilton,	Vollmer,	Winters,
Scott,	Snyder,	vonder Heide,	Woodworth,
Shanley,	of Pickaway,	Walsh,	Young—72.
Siebert,	Sweeney,	Warnes,	

Those who voted in the negative were: Messrs.

Brown, of Union,	Gilson,	McCormick,	Reynolds,
Capelle,	Hastings,	Nye,	Robinson,
Conover,	Hoover,	Pence,	Smith, of Morgan,
Crawford,	Hunter,	Plank,	Tetlow,
Davis,	Jackson,	Plumb,	Thatcher,
Deaton,	King, of Franklin,	Reighard,	White—25.
Freeman,			

The bill was passed.

The title was agreed to.

Mr. Venus offered **H. R. No. 13.**

Resolved, That the clerk of the House of Representatives is hereby authorized and directed to prepare and file with the Auditor of State the proper itemized statement showing in detail the plan of the House of Representatives for the expenditure of the money so appropriated for its use in the act entitled, "An Act to make general appropriations for the fiscal year beginning February 16, 1914, and to repeal House Bill No. 670, approved May 9, 1913, (103 O. L. 627) entitled, 'An Act to make general appropriations'". Such clerk is further authorized to prepare and file any amendment to such statement that may at any time become necessary.

Resolved, further, that the clerk is hereby authorized and directed and empowered, after adjournment, to sign and approve any requisition or voucher necessary to be drawn on said amount so appropriated to meet any expense legally payable therefrom.

Mr. Venus moved that the rule requiring resolutions to lie over one day before being considered be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The resolution was adopted.

By unanimous consent, Mr. Kramer submitted the report of the committee appointed by the speaker under the provisions of **H. R. No. 9** — Mr. Guthery.

On motion of Mr. Kramer, the report was accepted by the House and ordered printed in the appendix of the journal.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

February 6, 1914.

To the General Assembly:

The committee appointed to investigate the matter of Members of the Assembly deriving double compensation by appointment in State Departments, has submitted an exhaustive report. It seems that the custom

is of longstanding, and public policy suggests the doing away with the practice. Concurrent with the opinion expressed by the committee, I cheerfully message to the General Assembly this subject with the recommendation that a bill be passed preventing members of the Legislature from deriving dual compensation.

JAMES M. COX,
Governor.

Mr. Lowry moved that the matter contained in the Governor's message be referred at once to the proper committee.

The motion was agreed to and the matter was referred to the committee on Judiciary.

Mr. Carroll submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills and joint resolutions:

H. B. No. 7 — Mr. Clark.

To supplement section 131 of the General Code by section 131-1 relating to affidavits by notaries public.

H. B. No. 6 — Mr. Behne.

To amend section 246 of the General Code, providing for the issuance of duplicate warrants in certain cases.

H. B. No. 1 — Mr. Warnes.

To amend section 3609 of the General Code (as contained in the act entitled "An Act to amend sections 6290 et. al. of the General Code", 103 O. L. page 763), relating to motor vehicles.

H. B. No. 3 — Mr. Snyder, of Hamilton.

To amend sections 4949, 4952, 4963, 5004, 5006, 5018, 5094, and 5097 of the General Code, to supplement section 4828 by enacting supplemental sections to be known as 4828-2 and 4828-3 and to repeal section 4968 relative to the nomination and election of United States senators.

H. J. R. No. 4 — Mr. Terrell.

To provide for the printing of the report of the Ohio Coal Mining Commission to the Governor of Ohio.

H. J. R. No. 6 — Mr. Carroll.

Relating to "The Hamill Bill" now pending in Congress.

H. J. R. No. 8 — Mr. Terrell.

Relative to printing copies of the report of the Ohio state school commission to the Governor of Ohio.

H. J. R. No. 3 — Mr. Terrell.

Relative to printing one thousand copies of Legislative Canal Commission report.

H. B. No. 9 — Mr. Snyder.

To amend section 12842 of the General Code, relating to perjury in connection with nominating, initiative, supplementary, and referendum petitions.

JNO. L. McDERMOTT,
M. A. BROADSTONE,
J. E. HOLDEN,
VINCENT ZMUNT,

JAS. T. CARROLL,
FRANK W. THOMAS,
F. J. KILRAIN,
EARL E. ERTEL.

The speaker of the House, in the presence of the House, signed said bills and joint resolutions.

H. B. No. 46 — Mr. Clark, was taken up, and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Clark moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 56, after the word "secretary" insert the following: ", or the incorporators if done before organization."

In line 58, strike out the period and add after the word "facts" "and that such issuer is formed for the purpose of doing business within this state."

In line 102 change "avplications" to "applications."

In line 351 after the period insert "such certificate shall be issued or refused within a reasonable time after the filing of the application therefor, which shall be within not more than 30 days from and after the applicant has fully complied with all requirements of this act precedent thereto."

The motion was agreed to, and Mr. Clark was appointed such committee, and reported the bill amended as instructed.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Clark, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 46** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 74, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Clark,	Hoover,	Schaefer,
Appenzeller,	Conover,	Horwitz,	Schweikert,
Barthelmeh,	Cowan,	Jackson,	Scott,
Beatty,	Crawford,	Kathe,	Shanley,
Behne,	Criswell,	Kilrain,	Siebert,
Beyer,	of Morrow,	Kramer,	Smith, of Butler,
Bishop,	Deaton,	Lambert,	Smith, of Morgan,
Black,	Detrick,	Lowry,	Sweeney,
of Hamilton,	Dickson,	McCormick,	Terrell,
Black,	Doster,	McGuffey,	Tetlow,
of Wyandot,	Ertel,	Morris,	Thomas,
Boggs,	Etling,	Nungesser,	Venus,
Bour,	Fell,	Orlikowski,	Vollmer,
Brown,	Fellinger,	Pence,	vonder Heide,
of Ashland,	Freeman,	Plumb,	Walsh,
Brown, of Union,	Hastings,	Reighard,	Warnes,
Cameron,	Hite,	Reynolds,	Welsh,
Capelle,	Hoaglin,	Rhulman,	Wintermute,
Carroll,	Hoffman,	Robinson,	Winters—74.
Chapman,	Holl,		

The bill was passed. The title was agreed to.

By unanimous consent, Mr. Reid submitted the following report:

The committee of conference to which were referred the matters of difference between the two houses on **H. B. No. 5** — Mr. Guthery, having had the same under consideration, does recommend to the respective houses as follows:

In section 4 in line 8 thereof strike out words "at least three per cent of such deposits which are time deposits" and insert in lieu thereof

the following: "not more than three-tenths of such reserve for time deposits"

In section 4 line 3 thereof strike out "total" and insert "time" in lieu thereof and in same line after the comma insert "and at least fifteen per cent of their demand deposits;"

In section 3 line 4 thereof strike out "execuation" and in lieu thereof insert "execution"

C. A. REID,
VIRGIL J. TERRELL,
I. S. GUTHERY,

Managers on part of House.

JUSTIN A. MOORE,
W. H. HERNER,
VINCENT ZMUNT,
Managers on part of Senate.

The question was, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken, and resulted—yeas 85, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kennedy,	Schweikert,
Appenzeller,	of Coshocton,	King, of Franklin,	Scott,
Barthelmeh,	Criswell,	Kramer,	Shanley,
Behne,	of Morrow,	Lambert,	Siebert,
Beyer,	Davis,	Lowry,	Smith, of Butler,
Bigelow,	Deaton,	Lustig,	Snyder,
Bishop,	Detrick,	McCormick,	of Hamilton,
Black,	Dickson,	McGuffey,	Snyder,
of Hamilton,	Etling,	Mills,	of Pickaway,
Black,	Fell,	Morris,	Terrell,
of Wyandot,	Fellinger,	Murphy,	Thatcher,
Bour,	Foreman,	Nungesser,	Thomas,
Brennan,	Freeman,	Nye,	Venus,
Brown,	Guthery,	Orlikowski,	Vollmer,
of Ashland,	Hastings,	Orrison,	vonder Heide,
Brown, of Union,	Hoaglin,	Pence,	Walsh,
Cameron,	Hoffman,	Plumb,	Warnes,
Carroll,	Holl,	Reid, of Fayette,	Welsh,
Chapman,	Hoover,	Reighard,	White,
Clark,	Horwitz,	Reynolds,	Wintermute,
Colter,	Hunter,	Rhulman,	Winters,
Conever,	Jackson,	Robinson,	Woodworth,
Crawford,	Kathe,	Schaefer,	Young—85.

Messrs. Capelle and Kemerer voted in the negative.

The report of the committee of conference was agreed to.

On motion of Mr. Lowry, the House recessed until 7:00 o'clock P. M.

7 o'clock P. M.

The House met pursuant to recess.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has appointed on a

committee of conference on the differences between the two houses on **Sub. H. B. No. 5** — Mr. Guthery, Messrs. Zmunt, Moore, Herner.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 36 — Mr. Hoaglin.

To authorize the county commissioners of Paulding county, Ohio, to reimburse the township trustees of Benton township in such county in a sum not to exceed thirteen hundred and seven dollars and thirty-seven cents for money spent in repairing culverts damaged by the flood of 1913.

H. B. No. 45 — Mr. Horwitz.

To authorize the county commissioners of any county to transfer funds for the purpose of providing a fund for the payment of mothers' pensions.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 37 — Mr. Welsh.

To amend section 1453 of the General Code, relating to the catching of carp.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 16 — Mr. Hoaglin.

To amend sections 3203, 3204, 4763, 4782, 4784, 7582, 7600, 7602, and 7802 of the General Code relating to school district funds.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 22 — Mr. Duffey.

To amend Sections 2252 and 2253 of the General Code (as contained in the Act entitled "An Act to amend certain sections of the General Code, relative to, et al., 103 O. L., page 405, at page 418 and 419) providing for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts," and to enact new sections to be known as sections 2252-1 and 2252-2.

With the following amendments, in which the concurrence of the House of Representatives is requested:

In line 6, before the word "shall", insert "in counties of fifty thousand population or more."

In line 7 strike out "twenty-five" and insert in lieu the word "thirty".

After line 10 insert: "Each judge of the court of common pleas in counties of less than fifty thousand population shall receive an annual salary equal to twenty-five dollars for each one thousand population of the county in which he resided when elected or appointed as ascertained by the federal census next preceding his assuming the duties of such office."

In lines 16, 19, 21, 27, 36 and 42 strike out "quarterly" and substitute "monthly".

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 49, nays 31, as follows:

Those who voted in the affirmative were: Messrs.

Beatty,	Clark,	Horwitz,	Schaefer,
Beyer,	Colter,	King, of Franklin,	Shanley,
Bigelow,	Cowan,	Kramer,	Siebert,
Bishop,	Criswell,	Lambert,	Smith, of Butler,
Black,	of Morrow,	Lowry,	Snyder,
of Wyandot,	Detrick,	Mills,	of Hamilton,
Boggs,	Dickson,	Morris,	Sweeney,
Bour,	Doster,	Mueller,	Tetlow,
Brennan,	Foreman,	Nye,	Venus,
Cameron,	Fulton,	Orlikowski,	vonder Heide,
Capelle,	Hite,	Orrison,	Walsh,
Carroll,	Hoffman,	Reynolds,	Winters,
Chapman,	Holl,	Rhulman,	Young—49.

Those who voted in the negative were: Messrs.

Acker,	Etling,	McCormick,	Scott,
Appenzeller,	Fell,	McGuffey,	Smith, of Morgan,
Barthelmeh,	Freeman,	Murphy,	Snyder,
Conover,	Gilson,	Nungesser,	of Pickaway,
Crawford,	Guthery,	Pence,	Thatcher,
Criswell,	Jackson,	Plumb,	Welsh,
of Coshocton,	Kathe,	Reighard,	Woodworth—31.
Davis,	Lustig,	Robinson,	Wintermute,
Deaton,			

The Senate amendments were not concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 28 — Mr. Green.

To amend Section 29 of an act entitled, "An Act to further define the powers, duties and jurisdiction of the state liability board of awards with reference to the collection, maintenance and disbursement of the state insurance fund for the benefit of injured, and the dependents of killed employes and requiring contribution thereto by employers, and to repeal sections 1465-42, 1465-43, 1465-45, 1465-46, 1465-53, 1465-54, 1465-55, 1465-56, 1465-57, 1465-58, 1465-59, 1465-60, 1465-61, 1465-62,

1465-63, 1465-64, 1465-65, 1465-66, 1465-67, 1465-68, 1465-69, 1465-70, 1465-71, 1465-72, 1465-73, 1465-74, 1465-75, 1465-76, 1465-77, 1465-78, 1465-79 of the General Code", (O. L. Vol. 103, p. 72).

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

Mr. Smith, of Butler, moved that the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days be suspended and **S. B. No. 28** — Mr. Green, be read the second time now.

The motion was agreed to and **S. B. No. 28** — Mr. Green, was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Smith, of Butler, moved to refer the bill to a select committee of one, with instructions to amend as follows:

"Section 2. That original section 29 of said Act of the General Assembly of Ohio, passed February 26th, 1913, approved March 18th, 1913, filed in the office of the Secretary of State March 14th, 1913, entitled, "An Act to further define the powers, duties and jurisdiction of the state liability board of awards with reference to the collection, maintenance and disbursement of the state insurance fund for the benefit of injured, and the dependents of killed employes and requiring contribution thereto by employers, and to repeal sections 1465-42, 1465-43, 1465-45, 1465-46, 1465-53, 1465-54, 1465-55, 1465-56, 1465-57, 1465-58, 1465-59, 1465-60, 1465-61, 1465-62, 1465-63, 1465-64, 1465-65, 1465-66, 1465-67, 1465-68, 1465-69, 1465-70, 1465-71, 1465-72, 1465-73, 1465-74, 1465-75, 1465-76, 1465-77, 1465-78, 1465-79, of the General Code", be and the same is hereby repealed."

The motion was agreed to, and Mr. Smith, of Butler, was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

Mr. Clark demanded the previous question, which was duly seconded.

The question was, "Shall the debate now close?"

The motion was agreed to and the main question ordered.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Smith, of Butler, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 28** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 71, nays 14, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Black,	Capelle,	Criswell,
Barthelmeh,	of Wyandot,	Carroll,	of Morrow,
Beatty,	Boggs,	Chapman,	Davis,
Behne,	Bour,	Clark,	Detrick,
Beyer,	Brennan,	Conover,	Dickson,
Bishop,	Brown,	Crawford,	Donaldson,
Black,	of Ashland,	Criswell,	Etling,
of Hamilton,	Cameron,	of Coshocton,	Fell,

Those who voted in the affirmative were: Messrs. — Concluded.

Foreman,	King, of Franklin,	Plumb,	Snyder,
Fulton,	Kramer,	Reid, of Fayette,	of Pickaway,
Guthery,	Lambert,	Reighard,	Terrell,
Hite,	Lowry,	Rhulman,	Thomas,
Hoaglin,	McCormick,	Schaefer,	Venus,
Hoffman,	McGuffey,	Schweikert,	vonder Heide,
Holl,	Mills,	Siebert,	Walsh,
Hoover,	Morris,	Smith, of Butler,	Warnes,
Horwitz,	Mueller,	Smith, of Morgan,	Welsh,
Hunter,	Murphy,	Snyder,	Wintermute,
Kathe,	Nungesser,	of Hamilton,	Winters—71.
Kennedy,	Pence,		

Those who voted in the negative were: Messrs.

Bigelow,	Gilson,	Reynolds,	Tetlow,
Deaton,	Jackson,	Robinson,	Vollmer,
Doster,	Nye,	Scott,	Young—14.
Freeman,	Orlikowski,		

The bill was passed.

Mr. Smith, of Butler, moved to amend the title as follows:

In first line of title after word "act" and before word "entitled" insert the following: "of the General Assembly of Ohio passed February —, 1913, approved March 14, 1913 and filed in the office of the Secretary of State of Ohio March 18, 1913".

The motion was agreed to.

The title as amended was agreed to.

Mr. Terrell moved that the vote by which **H. B. No. 28** — Mr. Green, was passed, be reconsidered.

Mr. Warnes moved that the motion be laid on the table.

The motion was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate insists on its amendments to

Am. H. B. No. 11 — Mr. Mills.

and asks for a committee of Conference.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Mills moved that the House accede to the request of the Senate and a committee of Conference be appointed.

Mr. Bishop moved that the motion be indefinitely postponed, upon which

The yeas and nays were demanded taken, and resulted — yeas 35, nays 62, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Chapman,	Hoover,	Plumb,
Appenzeller,	Conover,	Hunter,	Reid, of Fayette,
Behne,	Crawford,	Jackson,	Reighard,
Bishop,	Deaton,	Kathe,	Reynolds,
Boggs,	Foreman,	Kennedy,	Smith, of Morgan,
Brown,	Freeman,	McCormick,	vonder Heide,
of Ashland,	Fulton,	Mueller,	White,
Brown, of Union,	Gilson,	Murphy,	Wintermute,
Capelle,	Hastings,	Pence,	Woodworth—35.

Those who voted in the negative were: Messrs.

Barthelmeh,	Criswell,	King, of Franklin,	Smith, of Butler,
Beatty,	of Morrow,	Kramer,	Snyder,
Beyer,	Davis,	Lowry,	of Hamilton,
Bigelow,	Detrick,	Lustig,	Snyder,
Black,	Dickson,	McGuffey,	of Pickaway,
of Hamilton,	Donaldson,	Mills,	Sweeney,
Black,	Doster,	Morris,	Terrell,
of Wyandot,	Ertel,	Nungesser,	Tetlow,
Bour,	Ethling,	Nye,	Thatcher,
Brennan,	Fell,	Orlikowski,	Thomas,
Cameron,	Fellinger,	Orrison,	Venus,
Carroll,	Guthery,	Rhulman,	Vollmer,
Clark,	Hite,	Schaefer,	Walsh,
Colter,	Hoaglin,	Schweikert,	Warnes,
Cowan,	Hoffman,	Scott,	Welsh,
Criswell,	Holl,	Shanley,	Winters,
of Coshocton,	Horwitz,	Siebert,	Young—62.

The motion was disagreed to.

The question recurred, "Shall the motion of Mr. Mills be agreed to?"

The motion was agreed to and the speaker appointed as managers on the part of the House on the matters of difference on **H. B. No. 11**—Mr. Mills, Messrs. Kramer, Mills and Snyder of Hamilton.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 10—Mr. Cunningham.

To amend sections 352, 354, 355, 356, 357, 358, 359, 360, 361, 362, 364, 4701, 7645, 7646, 7656, 7660, 7661, 7668, 7669, 7672, 7673, 7675, 7709, 7710, 7718, 7727, 7752, 7755, 7756, 7761, 7763, 7769, 7771, 7772, 7773, 7784, 7786, 7787, 7788, 7789, 7790, 7792, 7793, 7799, 7803, 7804, 7857, 7863, 7865, 7874 and 9923, to add supplementary section 353-1, and to repeal sections 7588, 7589, 7590, 7717, 7719, 7732, 7741, 4693, 4694, 4695, and 4697 of the General Code relating to the office and duties of the superintendent of public instruction.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Lowry, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 10** was read the second time.

The question was, "Shall the bill be read the third time?"

Mr. McGuffey moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 13, insert:

"Sec. 352-1. No one who is interested financially or otherwise in any book publishing or book selling company, firm or corporation, shall be eligible to appointment as superintendent of public instruction. If any superintendent of public instruction becomes interested financially or otherwise in any book publishing or book selling company, firm or corporation, said superintendent of public instruction shall forthwith be removed from office by the governor."

The motion was agreed to, and Mr. McGuffey was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Lowry, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 10** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 56, nays 21, as follows:

Those who voted in affirmative were: Messrs.

Acker,	Colter,	Holl,	Schweikert,
Barthelmeh,	Criswell,	Horwitz,	Shanley,
Beatty,	of Coshocton,	Kathe,	Siebert,
Behne,	Criswell,	Kennedy,	Snyder,
Beyer,	of Morrow,	Kramer,	of Hamilton,
Black,	Deaton,	Lowry,	Snyder,
of Hamilton,	Detrick,	Lustig,	of Pickaway,
Black,	Dickson,	McGuffey,	Venus,
of Wyandot,	Doster,	Morris,	vonder Heide,
Bour,	Etling,	Mueller,	Walsh,
Brennan,	Fell,	Murphy,	Warnes,
Brown,	Fellinger,	Nungesser,	Welsh,
of Ashland,	Fulton,	Orlikowski,	Wintermute,
Cameron,	Hite,	Orrison,	Winters,
Carroll,	Hoaglin,	Rhulman,	Young—56.
Chapman,	Hoffman,	Schaefer,	

Those who voted in the negative were: Messrs.

Appenzeller,	Freeman,	King, of Franklin,	Reynolds,
Brown, of Union,	Gilson,	McCormick,	Scott,
Capelle,	Hoover,	Plumb,	Smith, of Morgan,
Conover,	Hunter,	Reid, of Fayette,	White,
Crawford,	Jackson,	Reighard,	Woodworth—21.
Davis,			

The bill was passed.

Mr. Hoaglin moved to amend the title as follows:

"To amend sections 352, 354, 355, 356, 357, 358, 359, 360, 361, 362, 364, 7645, 7646, 7656, 7660, 7661, 7668, 7669, 7672, 7673, 7675, 7709, 7710, 7718, 7727, 7752, 7756, 7761, 7763, 7769, 7771, 7772, 7773, 7784, 7786, 7787, 7788, 7789, 7790, 7792, 7793, 7799, 7803, 7804, 7857, 7865, 7874 and 9923, to add supplementary section 353-1, and to repeal sections 7588, 7589, 7590, 7717, 7719, 7732, 7741, 7863, 7864, 4693, 4694, 4695, and 4697 of the General Code relating to the office and duties of the superintendent of public instruction."

The motion was agreed to.

The title as amended was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following Joint Resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 8—Mr. Mooney.

Proposing an amendment of sections 3, 7, 12 and 15 of Article IV of the Constitution so as to restore the common pleas judicial districts

and sub-divisions in existence on the first day of September, 1912, and to abolish provision for combining common pleas and probate courts.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Winters moved that the rule, requiring resolutions to lie over one day before consideration, be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 18, nays 71, as follows:

Those who voted in the affirmative were: Messrs.

Behne,	Fellinger,	McGuffey,	Snyder,
Brennan,	Gilson,	Orrison,	of Hamilton,
Cameron,	Horwitz,	Reid, of Fayette,	Thomas,
Crawford,	Kemerer,	Reighard,	vonder Heide,
Doster,	Kennedy,		Warnes—18.

Those who voted in the negative were: Messrs.

Acker,	Criswell,	Hunter,	Rhulman,
Appenzeller,	of Coshocton,	Jackson,	Schaefer,
Barthelmeh,	Criswell,	Kathe,	Schweikert,
Beatty,	of Morrow,	King, of Franklin,	Scott,
Beyer,	Davis,	Kramer,	Shanley,
Bigelow,	Deaton,	Lambert,	Siebert,
Bishop,	Detrick,	Lowry,	Smith, of Butler,
Black,	Donaldson,	Lustig,	Smith, of Morgan,
of Wyandot,	Ertel,	McCormick,	Snyder,
Boggs,	Etling,	Mills,	of Pickaway,
Bour,	Fell,	Morris,	Sweeney,
Brown,	Foreman,	Mueller,	Tetlow,
of Ashland,	Freeman,	Murphy,	Venus,
Carroll,	Fulton,	Nungesser,	Vollmer,
Chapman,	Hite,	Nye,	White,
Clark,	Hoaglin,	Orlikowski,	Wintermute,
Colter,	Hoffman,	Pence,	Winters,
Conover,	Holl,	Plumb,	Woodworth,
Cowan,	Hoover,	Reynolds,	Young—71.

The resolution was lost.

Mr. Black, of Wyandot, moved that the vote by which **S. J. R.**

No. 8—Mr. Mooney, was lost be reconsidered.

The motion was disagreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 33—Mr. Black, of Hamilton.

A bill to amend an act entitled "An Act providing for enlarging and extending the jurisdiction of the police court of Cincinnati and changing the name of said court to a municipal court" (103 O. L. 279) by amending Sections 12, 15, 16, 30, 35, 43 and 45 of said Act, and by repealing section 20 of said act.

With the following amendments, in which the concurrence of the House of Representatives is requested:

In line 2 before the numerals "26" insert "12, 15 and 16."

In line 2 after the numerals "26" insert "30, 35, 43 and 45."

Strike out lines 6 to 19 both inclusive and insert the following:

Sec. 12. Civil actions and proceedings in the Municipal Court shall be commenced by filing a bill of particulars upon which summons or writ shall be issued by the clerk. The form of the summons or writ shall be prescribed by rule of court, except as herein otherwise provided.

1. All writs and process in the Municipal Court shall be served and returned by the bailiff, or by publication in the same manner as is now, or may hereafter be, provided by law for the service and return of writs and process of a police court, or a justice of the peace unless otherwise provided herein.

In addition to the foregoing methods of service and return of writs and process the judges may by rule provide for the service and return of writs or process by registered mail, and when provision for service by mail is so made, a return of the bailiff that a true copy of a writ or process was deposited in the mail shall be proof of residence service at the address on the envelope containing such writ or process; provided that such address be the correct residence address of the party to be served, and that a register receipt showing that such writ or process has been delivered, accompanies the return of the bailiff; provided further that any person requesting service by bailiff shall be entitled thereto.

2. The return day shall be fixed by rule of court not later than seven days after issuance and the summons or writs shall, unless accompanied with an order to arrest, be served at least three days before the time of appearance.

3. In all civil cases in the Municipal Court the plaintiff shall file a bill of particulars and the defendant shall file a statement of any setoff or counterclaim he may desire to assert. A statement of defense shall be filed in such cases and within such time as may be required by rule of court. In cases where a statement of defense is required the summons shall set forth the date when such statement shall be filed, as fixed by rule of court, which shall be not less than five days after the return day of the summons. The bill of particulars and statement shall set forth in plain and direct language the facts constituting the cause of action, setoff, counterclaim, or defense.

4. To expedite the business and promote the ends of justice the judges may from time to time adopt, publish, and revise rules relating to the matters of practice and procedure, classify the causes of action in the court, and prescribe with reference to each class the degree or particularity with which cause of action, setoff, counterclaim, or defense, shall be set up.

Sec. 15. All civil actions in the Municipal Court shall be tried to the Court unless, before the court shall proceed to inquire into the merits of the cause, a jury shall be demanded by either party to the action. In all civil actions where a jury is demanded, it shall be composed of six men having qualifications of electors. In all actions and proceedings, other than civil actions and proceedings, of which police courts in cities or municipal court of Cincinnati have or may hereafter be given jurisdiction, the jury shall be composed of twelve men having the qualifications of electors. In all civil actions the jury shall return a verdict when five or more of their number concur.

Sec. 16. In all actions and proceedings the cost of summoning jurors and the fees of jurors shall be paid out of the Treasury of the city of Cincinnati, and each juror shall receive one dollar for each day of actual service.

Sec. 26. Proceedings in error may be taken to the Court of *Common Pleas* of Hamilton County, from a final judgment or order of the Municipal Court of *Cincinnati* in the same manner and under the same conditions as provided by law for proceedings in error from the Court of Common Pleas to the Court of Appeals, of Hamilton County. In civil cases in which a judgment of more than three hundred dollars has been granted, or being prayed for has not been granted, proceedings in error from a final judgment or order of the Court of Common Pleas of Hamilton County, upon a petition in error from such final judgment or order of the Municipal Court to the Court of Common Pleas of Hamilton County, may be had as in other cases originating in said Court of Common Pleas, to the Court of Appeals of Hamilton County. The review of all cases other than civil actions and proceedings, shall be had in the manner provided for review of civil actions and proceedings in which a judgment for more than three hundred dollars has been granted. There shall be no appeal to the Court of Appeals of Hamilton County, from the Court of Common Pleas of Hamilton County, in any action or proceeding brought on review from the Municipal Court of *Cincinnati*, to the Court of Common Pleas of Hamilton County.

Sec. 30. The clerk of the Municipal Court shall have power to administer oaths, and take affidavits and to issue executions upon any judgment rendered in the Municipal Court, including a judgment for unpaid costs he shall have power to issue and sign all writs, process and papers issuing out of the court, and to attach the seal of the court thereto; shall have power to approve all bonds, recognizances and undertakings fixed by any judge of the court or by law; shall file and safely keep all journals, records, books and papers belonging or appertaining to the court, record its proceedings and perform all other duties which the judges of the court shall prescribe, *and all other duties heretofore enjoined upon the clerk of the Police Court by Section 3056 of the General Code.* He shall pay over to the proper parties all monies received by him as clerk; he shall receive and collect all costs, fines and penalties; and shall pay *all costs and subject to the provisions of Section 3056 of the General Code, the balance of such fines and penalties* monthly to the treasurer of the city of *Cincinnati* and take his receipt therefor, but money deposited as security for costs shall be retained by him pending the litigation; he shall keep a book showing all receipts and disbursements, which shall be open for public inspection at all times; and shall on the first Monday of each term of court make to the city auditor a report of all receipts and disbursements for the preceding term. He shall succeed to all and shall have all the powers and perform all the duties of police clerks, and as to the selection of the deputy clerks, he shall have the power to appoint a chief deputy and such number of other deputies and assistants as shall be designated from time to time by the council of the city of *Cincinnati* as hereinafter provided.

Sec. 35. Excepting the clerk, *one deputy bailiff to be appointed by each judge, including the presiding judge*, all deputy clerks, the bailiff and deputy bailiffs shall be * * * *appointed to their respective positions by the clerk * * *. One deputy bailiff shall be appointed by each judge, including the presiding judge and be removed at the pleasure of the judge making the appointment.* The bailiff shall be appointed by the clerk and hold office during the pleasure of the clerk and the * * * deputy clerks and deputy bailiffs, *other than those appointed by the judges*, may be removed by the clerk *in the manner provided by law for*

the removal of other municipal employees. The deputy clerks with the exception of the chief deputy and the deputy bailiffs with the exception of the deputy bailiffs to be appointed by the judges shall be appointed from eligible lists to be furnished by the municipal civil service commission of the city of Cincinnati. Every police officer of the city of Cincinnati shall be ex-officio a deputy bailiff of the municipal court and shall perform from time to time such duties in respect to cases within the jurisdiction of said court as may be required of them by said court or any judge thereof.

Sec. 43. No Justice of the Peace in and for Cincinnati Township shall hereafter have jurisdiction to issue any warrant or order of arrest or other criminal process. Hereafter there shall be no Justice of the Peace or constables elected in Cincinnati Township; *provided, however, that any Justice of the Peace now existing in Cincinnati Township, whose tenure of office has not been terminated by this act, may appoint not more than two constables in and for said Township. Such constables so appointed shall hold their offices until January 1st, 1916, and shall give bond to the State of Ohio, for the faithful performance of their duties in the sum of one thousand dollars with sureties satisfactory to the Justice of the Peace so appointing them, and said bond shall be filed with the Clerk of the Council of said City of Cincinnati. Said constables so appointed shall have all of the rights, powers and privileges including the right to tax and receive fees, and shall also be subject to all the duties, responsibilities and liabilities that are now conferred or imposed upon constables generally by the laws of the State of Ohio.*

Sec. 45. Any judge of the Municipal Court shall have jurisdiction and authority; to administer an oath authorized or required by law to be administered; to take the acknowledgments of deeds, mortgages and other instruments of writing; and to solemnize marriages.

In line 24 before the numerals "26" insert "12, 15, 16 and 20".

In line 24 after the numerals "26" insert "30, 35, 43"

Amend the title to read as follows:

"A bill to amend an act entitled "An act providing for enlarging and extending the jurisdiction of the police court of Cincinnati and changing the name of said court to a municipal court" (103 O. L. 279), by amending sections 12, 15, 16, 30, 35, 43 and 45 of said Act, and by repealing section 20 of said Act."

Attest:

W. V. GOSHORN,

Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 73, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bour,	Criswell,	Fell,
Appenzeller,	Brennan,	of Coshocton,	Foreman,
Barthelmeh,	Brown,	Criswell,	Freeman,
Beatty,	of Ashland,	of Morrow,	Fulton,
Behne,	Cameron,	Davis,	Guthery,
Beyer,	Carroll,	Deaton,	Hoaglin,
Bigelow,	Chapman,	Detrick,	Hoffman,
Bishop,	Clark,	Dickson,	Holl,
Black,	Colter,	Donaldson,	Hoover,
of Wyandot,	Conover,	Doster,	Horwitz,
Boggs,	Crawford,	Etling,	Jackson,

Those who voted in the affirmative were: Messrs. — Concluded.

Kathe,	Murphy,	Schweikert,	Terrell,
Kennedy,	Nungesser,	Scott,	Thomas,
Kramer,	Orlikowski,	Shanley,	Venus,
Lambert,	Orrison,	Siebert,	vonder Heide,
Lowry,	Pence,	Smith, of Butler,	Warnes,
Lustig,	Plumb,	Snyder,	White,
McCormick,	Reighard,	of Hamilton,	Wintermute,
Morris,	Reynolds,	Snyder,	Young—73.
Mueller,	Schaefer,	of Pickaway,	

Mr. Capelle voted in the negative.

The Senate amendments were concurred in.

Mr. Criswell of Morrow moved that the vote by which

S. B. No. 12 — Mr. Friebohn, was passed be reconsidered.

The motion was agreed to and said bill was taken up.

The question was, "Shall the bill pass?"

Mr. Clark moved that the rule permitting no debate or amendment to a bill after second reading be suspended and that debate or amendment be permitted on said bill.

The motion was agreed to.

Mr. Clark moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out all after "Code" in line 53.

Change comma in line 53 to a period.

Strike out all of lines 54 and 55.

The motion was agreed to, and Mr. Clark was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 65, nays 10, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Hoover,	Scott,
Barthelmeh,	of Coshocton,	Jackson,	Shanley,
Beatty,	Davis,	Kennedy,	Siebert,
Behne,	Deaton,	King, of Franklin,	Smith, of Butler,
Beyer,	Detrick,	Lambert,	Snyder,
Bigelow,	Dickson,	Lowry,	of Hamilton,
Bishop,	Donaldson,	Lustig,	Sweeney,
Black,	Doster,	Mills,	Terrell,
of Wyandot,	Ertel,	Morris,	Tetlow,
Boggs,	Etling,	Murphy,	Thatcher,
Bour,	Foreman,	Nungesser,	Thomas,
Brennan,	Fulton,	Orlikowski,	Venus,
Brown,	Guthery,	Pence,	Vollmer,
of Ashland,	Hite,	Plumb,	Warnes,
Brown, of Union,	Hoaglin,	Reynolds,	Wintermute,
Carroll,	Hoffman,	Schaefer,	Woodworth,
Clark,	Holl,	Schweikert,	Young—65.
Crawford,			

Those who voted in the negative were: Messrs.

Cameron,	Gilson,	Reighard,	Snyder,
Criswell,	Horwitz,	Rhulman,	of Pickaway,
of Morrow,	McCormick,	Smith, of Morgan,	vonder Heide—10.

The bill was passed. The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has adopted the following Joint Resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 9 — Mr. Dollison.

Creating a commission to investigate the subject of free textbooks.

Attest:

W. V. GOSHORN,
Clerk.

The resolution was referred to the committee on Public Schools.

By unanimous consent, Mr. Snyder, of Hamilton, submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 27** — Mr. Holden, having had the same under consideration, reports it back and recommends its passage.

CULBERTSON J. SMITH,
THORNTON R. SNYDER,
STEPHEN M. YOUNG,
V. J. VONDER HEIDE,

C. A. REID,
JOHN R. KRAMER,
PERCY TETLOW,
IRVIN F. SNYDER.

The report was agreed to.

Mr. Snyder, of Hamilton, moved that the rule requiring bills after being reported back from committee to be placed on the calendar for second reading for the second day following be suspended and **S. B. No. 27** — Mr. Holden, be engrossed at the clerk's desk and read the second time.

The motion was agreed to and H. B. No. 27 was taken up and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Snyder, of Hamilton, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 27** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 64, nays 17, as follows:

Those who voted in the affirmative were: Messrs:

Acker,	Cowan,	Hoaglin,	Schweikert,
Beatty,	Crawford,	Hoffman,	Shanley,
Behne,	Criswell,	Holl,	Siebert,
Beyer,	of Coshocton,	Horwitz,	Smith, of Butler,
Bizelow,	Criswell,	Kathe,	Snyder,
Bishop,	of Morrow,	Kennedy,	of Hamilton,
Black,	Davis,	Lambert,	Snyder,
of Hamilton,	Deaton,	Lowry,	of Pickaway,
Black,	Detrick,	Lustig,	Sweeney,
of Wyandot,	Dickson,	McCormick,	Terrell,
Boggs,	Doster,	Mills,	Thatcher,
Bour,	Ertel,	Morris,	Venus,
Brown,	Etling,	Mueller,	vonder Heide,
of Ashland,	Foreman,	Murphy,	Walsh,
Cameron,	Fulton,	Orlikowski,	Warnes,
Carroll,	Guthery,	Orrison,	Wintermute,
Chapman,	Hastings,	Reid, of Fayette,	Young—64.
Clark,	Hite,	Schaefer,	

Those who voted in the negative were: Messrs.

Barthelmeh,	Hoover,	Pence,	Scott,
Capelle,	Hunter,	Plumb,	Tetlow,
Freeman,	Jackson,	Reighard,	Thomas,
Gilson,	King, of Franklin,	Rhulman,	White,
			Woodworth—17.

The bill was passed. The title was agreed to.

Mr. Cowan offered **H. J. R. No. 11.**

Resolved, That there is hereby authorized to be printed and bound volume 2 of the History of Legislation by the 80th General Assembly of Ohio, said volume to contain the legislation enacted at the special session in 1914, and a history of the state administration for the years 1913-1914 together with a detailed history of the enlarged state board and commissions established since 1912.

Resolved, That 2500 copies of the aforesaid history be printed and bound by order of the state printing commission in the same style and quality as volume No. 1 of Ohio Legislative History.

Resolved, That the printing of said history be under the supervision of the supervisor of public printing.

Resolved, That the sum of \$2,000.00 is hereby authorized to be paid to James K. Mercer, legislative historian, for the preparation of said volume two, payable out of such fund as may be appropriated by law for such purpose, payment to be made upon vouchers signed by the President of the Senate and the Speaker of the House of Representatives, as the work progresses.

Resolved, That distribution of the work be made in exactly the same manner as the distribution of volume No. 1 and the entire work to be under the supervision of the President of the Senate and the Speaker of the House of Representatives.

Mr. Cowan moved that the rule, requiring resolutions to lie over one day before being considered, be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 36 nays 33, as follows:

Those who voted in the affirmative were: Messrs.

Beatty,	Cameron,	Holl,	Schweikert,
Behne,	Chapman,	Horwitz,	Shanley,
Beyer,	Clark,	Kathe,	Smith, of Butler,
Bishop,	Cowan,	Kennedy,	Snyder,
Black,	Detrick,	Lowry,	of Hamilton,
of Hamilton,	Dickson,	McGuffey,	Thomas,
Bour,	Ertel,	Morris,	Walsh,
Brennan,	Fellinger,	Mueller,	Wintermute,
Brown,	Hite,	Rhulman,	Woodworth—36.
of Ashland,	Hoffman,	Schaefer,	

Those who voted in the negative were: Messrs.

Acker,	Criswell,	Gilson,	Nungesser,
Barthelmeh,	of Coshocton,	Hoaglin,	Plumb,
Bigelow,	Criswell,	Hoover,	Reighard,
Black,	of Morrow,	Hunter,	Smith, of Morgan,
of Wyandot,	Davis,	Jackson,	Terrell,
Capelle,	Deaton,	Kramer,	Thatcher,
Colter,	Doster,	Mustig,	vonder Heide,
Conover,	Freeman,	Mills,	Warnes,
Crawford,	Fulton,	Murphy,	White—33.

The resolution was lost.

Mr. Lowry offered **H. J. R. No. 12.**

Relative to recess.

Mr. Lowry moved that the rule, requiring resolutions to lie over one day before being considered, be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 82, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kennedy,	Shanley,
Barthelmeh,	of Coshocton,	King, of Franklin,	Siebert,
Behne,	Criswell,	Kramer,	Smith, of Butler,
Beyer,	of Morrow,	Lambert,	Smith, of Morgan,
Bigelow,	Davis,	Lowry,	Snyder,
Bishop,	Deaton,	Lustig,	of Hamilton,
Black,	Detrick,	McGuffey,	Snyder,
of Hamilton,	Dickson,	Mills,	of Pickaway,
Black,	Doster,	Morris,	Sweeney,
of Wyandot,	Ertel,	Mueller,	Terrell,
Boggs,	Etling,	Murphy,	Tetlow,
Bour,	Fellinger,	Orlikowski,	Thatcher,
Brennan,	Gilson,	Orrison,	Thomas,
Brown,	Guthery,	Pence,	Venus,
of Ashland,	Hite,	Plumb,	Vollmer,
Cameron,	Hoaglin,	Reid, of Fayette,	vonder Heide,
Capelle,	Hoffman,	Reighard,	Walsh,
Chapman,	Holl,	Reynolds,	Warnes,
Clark,	Hoover,	Rhulman,	White,
Colter,	Horwitz,	Schaefer,	Wintermute,
Conover,	Jackson,	Schweikert,	Winters,
Cowan,	Kathe,	Scott,	Woodworth,
			Young—82.

The resolution was adopted.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 46 — Mr. Clark.

To amend sections 6373-1, 6373-2, 6373-3, 6373-4, 6373-5, 6373-6, 6373-7, 6373-8, 6373-9, 6373-10, 6373-11, 6373-12, 6373-13, 6373-14, 6373-15, 6373-16, and 6373-24, of the General Code of Ohio to further regulate the sale of bonds, stocks and other securities and of real estate not located in Ohio and to prevent fraud in such sales.

Attest:

W. V. GOSHORN,

Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bills:

H. B. No. 48 — Mr. Fellinger.

Relating to the organization and admission of mutual fire insurance companies and to repeal sections 630, 631, 632, 9525, 9526, 9528, 9550, 9551, 9552, 9553, 9557, 9558 and 9574 of the General Code.

H. B. No. 42—Mr. Bour.

To provide for an investigation as to the condition of the finances of municipalities.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you: on consideration the Senate refuses to concur in the House amendments to **S. B. No. 12**—Mr. Friebolin, and accedes to the request of the House for the return of the bill.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in House amendments to

S. B. No. 28—Mr. Green.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has appointed on the committee of conference on the difference of the two houses on **H. B. No. 11**—Mr. Mills, Mr. Friebolin, Mr. Wise, Mr. Herner.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **S. B. No. 20**—Mr. Hudson, having had the same under consideration, reports it back without recommendation.

GEO. M. HOAGLIN,
GEO. M. MORRIS,
GUY DETRICK,
FRED BARTHELMEH,
JOHN H. LOWRY,

JOHN F. KRAMER,
J. CHAS. CRISWELL,
G. G. O. PENCE,
W. M. DICKSON,
VAN S. DEATON.

The report was disagreed to.

Mr. Lambert submitted the following report:

The standing committee on Mines and Mining, to which was referred **H. B. No. 27**—Mr. Tetlow, having had the same under consideration, reports it back and recommends its passage.

JOHN J. SHANLEY, SR.,
PERCY TETLOW,
R. R. BOUR,
W. H. ACKER,
W. A. RHULMAN,

E. C. WOODWORTH,
JAMES A. FREEMAN,
W. A. HITE,
FRANK P. LAMBERT.

The report was agreed to.

The bill was ordered to be engrossed and read the second time in its regular order.

Mr. Hoaglin submitted the following report:

The standing committee on Public Schools, to which was referred **H. B. No. 25**—Mr. Thomas, having had the same under consideration, reports it back without recommendation:

JOHN H. LOWRY,
GEO. M. HOAGLIN,
J. CHAS. CRISWELL,
GUY DETRICK,
• VAN S. DEATON,

G. G. O. PENCE,
GEO. S. CRAWFORD,
FRED BARTHELMEH,
GEO. M. MORRIS.

The report was disagreed to.

By unanimous consent,

Mr. Shanley offered **H. R. No. 14**.

WHEREAS, As state representatives, one of our most treasured and cherished sentiments, is admiration for the majestic structure, the Capitol Building, where solidity from foundation to minarets and dome is as enduring as time, while the classical grace, beauty and grandeur of its architectural design is the pride of Ohio and the envy of sister states; and

WHEREAS, Last May, after four months of the strenuous regular session, far from reluctant, we were jubilant to depart from scenes which had become dismal by reason of begrimed walls and furniture, and faded and worn furnishings; and

WHEREAS, On our return journey January 19th, in response to the call of our illustrious Governor, to complete the program of progressive and most beneficent legislation, on entering this Chamber and penetrating the committee rooms, toilet rooms, etc., we encountered a treat and an agreeable revelation to find thorough cleanliness and complete renovation at every step. For at no time since the ponderous portals of the State House were first opened in 1857 to admit the peoples' lawmakers, has this house and appurtenances been so sweetly redolent of varnish and paint or so cheery with bright shades of carpets, rugs, etc.; and

WHEREAS, It was not by unseen hands from fairy realms that this transformation from gloom to gladness was accomplished, but through the indefatigable exertion of our Third Assistant Sergeant-at-Arms and Custodian, Mr. Thurman Thompson, who, in anticipation of our coming made superhuman efforts to welcome us with conditions as pleasant as possible, and so we found them; therefore, be it

Resolved, That our thanks, at least, are due and hereby tendered to Mr. Thompson with the hope that this House may for many years to come be the beneficiary of his tasteful efficient supervision.

Mr. Shanley moved that the rule, requiring resolutions to lie over one day before being considered, be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The resolution was adopted.

The following message was received from the senate:

Mr. Speaker:

I am directed to inform you that the Senate has agreed to the report of the committees of Conference on matters of difference between the two Houses on **Sub. H. B. No. 5**—Mr. Guthery.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the adoption of the following joint resolution:

H. J. R. No. 12 — Mr. Lowry.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Dickson submitted the following report:

The standing committee on Public Schools, to which was referred **H. B. No. 21** — Mr. Gilson, having had the same under consideration, reports it back without recommendation.

JOHN H. LOWRY,
GEO. M. HOAGLIN,
J. CHAS. CRISWELL,
GUY DETRICK,
VAN S. DEATON,
G. G. O. PENCE,

GEO. S. CRAWFORD,
FRED BARTHELMEH,
GEO. M. MORRIS,
JOHN F. GILSON,
W. M. DICKSON.,

The report was disagreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate recedes from its amendments to **H. B. No. 22** — Mr. Duffy.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 47 — Mr. Cowan.

To make general appropriations for the fiscal year beginning February 16, 1914, and to repeal House Bill No. 670 approved May 9, 1913, (103 O. L. 627) entitled an act "To make general appropriations."

With the following amendments, in which the concurrence of the House of Representatives is requested:

In line 4, change the comma (,) after the word "appropriated", to a period.

Strike out the words "to be" and strike out all of line 5.

In line 16, change the numerals "\$264,208.00" to "\$259,208.00".

In line 20, change the numerals "\$92,995.11" to "\$82,995.11".

In line 87, change the numerals "\$25,000.00" to "\$50,000.00".

In line 96, change the numerals "\$8,880.00" to "\$18,880.00".

In line 97, change the numerals "\$970.00" to "\$1,940.00".

In line 102, change the numerals "\$2,340.00" to "\$12,340.00".

Preceding line 129, insert the paragraph: "Expenditures for repairs and improvements to be exempt from section 2314 of the General Code of Ohio."

In line 124, change the numerals "\$2,004.50" to "\$2,604.50".

In line 131, strike out the word "balances".

In line 154, change the numerals "\$91,470.00" to "\$96,470.00".

In line 170, change the numerals "\$35,920.00" to "\$26,920.00".

In line 189, after the word "receipts", strike out the comma and add the word "and".

In line 190, strike out the words "and interest".

In line 240, after the word "voucher", add the words "presented to the auditor", and at the end of the line add the word "the".

Strike out line 240-a

Amend the title.

Strike out the words, "for the fiscal year beginning February 16, 1914."

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted—yeas 36, nays 37, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Brown,	Hite,	Schaefer,
Beatty,	of Ashland,	Hoaglin,	Schweikert,
Behne,	Cameron,	Hoffman,	Shanley,
Bigelow,	Chapman,	Holl,	Siebert,
Black,	Clark,	Horwitz,	Snyder,
of Hamilton,	Colter,	Kathe,	of Hamilton.
Black,	Cowan,	McGuffey,	Terrell,
of Wyandot,	Crawford,	Mills,	Thomas,
Bour,	Detrick,	Morris,	vonder Heide,
Brennan,	Ertel,	Rhulman,	Warnes;
			Wintermute—36.

Those who voted in the negative were: Messrs.

Barthelmeh,	Deaton,	Hunter,	Scott,
Beyer,	Dickson,	Jackson,	Smith, of Butler,
Bishop,	Doster,	Kennedy,	Smith, of Morgan,
Capelle,	Etling,	King, of Franklin,	Snyder,
Conover,	Fellinger,	Lowry,	of Pickaway,
Criswell,	Freeman,	McCormick,	Tetlow,
of Coshocton,	Fulton,	Plumb,	Thatcher,
Criswell,	Gilson,	Reid, of Fayette,	Venus,
of Morrow,	Guthery,	Reighard,	White,
Davis,	Hoover,	Reynolds,	Woodworth—37.

The Senate amendments were not concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in House amendments to **S. B. No. 10**—Mr. Cunningham.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate insists on its amendments to **H. B. No. 47**—Mr. Cowan. and asks for a committee of conference.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Orrison moved that the House accede to the request of the Senate and a committee of conference be appointed.

The motion was agreed to and the speaker appointed as managers on the part of the House, Messrs. Cowan, Clark and Deaton.

On motion of Mr. Horwitz, the House recessed according to the provisions of **H. J. R. No. 12.**

Hall of the House of Representatives, Columbus, Ohio.

Monday, February 16, 1914, 1:30 o'clock P. M.

The House met pursuant to recess.

Prayer was offered by the Reverend D. J. Starr, of Columbus.

The journal of the last legislative day was read and approved.

By unanimous consent, Mr. Williams offered **H. R. No. 15.**

Resolved, That the testimony before the committee appointed under **H. R. No. 9** — Mr. Guthery, be included with the report of the committee and published in the appendix of the Journal.

Mr. Williams moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The resolution was adopted.

Mr. Lowry offered **H. R. No. 16.**

Resolved by the members of the House of Representatives, That we take this opportunity of expressing our sympathy with our fellow member, M. J. Jenkins, during his present serious illness and that as a token of our respect for him we direct that the clerk cause flowers to be supplied to our sick brother during his confinement in the local hospital, and authorize the expense of the same to be paid out of the proper fund.

Mr. Lowry moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 77, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Capelle,	Gilson,	King, of Franklin,
Anderson,	Carroll,	Hite,	Kramer,
Appenzeller,	Chapman,	Hoaglin,	Lambert,
Beatty,	Clark,	Holl,	Leist,
Behne,	Conover,	Hoover,	Lowry,
Beyer,	Crawford,	Horwitz,	Lustig,
Bigelow,	Criswell,	Hunter,	Mills,
Black,	of Morrow,	Jackson,	Morris,
of Wyandot,	Deaton,	Kathe,	Mueller,
Bour,	Dickson,	Kemerer,	Murphy,
Brennan,	Duffey,	Kennedy,	Nye,
Brown, of Union,	Fell,	Kessler,	Orlikowski,
Cameron,	Fulton,	Kilrain,	Orrison,

Those who voted in the affirmative were: Messrs. — Concluded.

Pence,	Rhulman,	Smith, of Morgan,	Warnes,
Plumb,	Robinson,	Snyder,	White,
Quinlisk,	Schaefer,	of Hamilton,	Williams,
Reid, of Fayette,	Schweikert,	Terrell,	Winans,
Reighard,	Shanley,	Tetlow,	Wintermute,
Reppert,	Siebert,	Thatcher,	Winters,
Reynolds,	Smith, of Butler,	Walsh,	Woodworth--77.

The resolution was adopted.

Mr. Lowry moved that a message be sent to the Senate requesting the return of **S. B. No. 10**—Mr. Cunningham.

The motion was agreed to.

By unanimous consent, Mr. Mills submitted the following report:

The committee of Conference to which was referred the matters of difference between the two houses on **H. B. No. 11**—Mr. Mills, having had the same under consideration, does recommend to the respective houses as follows:

In line 2 strike out the final letter "s" in the word "sections."

In the same line strike out the numerals "3939" and the comma following; the numerals "3949" and the comma following; the word "and" and the numerals "499-14."

Strike out lines 4 to 86-d inclusive.

Strike out lines 108-a to 108-tt.

In line 109 strike out all of said line after the word "original" and in lieu thereof insert the following: "Section 3927 of the General Code be and the same is hereby repealed."

Strike out lines 110 to 117-h inclusive.

In the title strike out all of the title after the words "to amend" and insert in lieu thereof the following: "Section 3927 of the General Code to provide for the sale of bonds in small denominations issued by municipalities."

JOHN F. KRAMER,
DON P. MILLS,
THORNTON R. SNYDER,

Managers on the part of the House of Representatives.

C. D. FRIEBOLIN,
JACOB J. WISE,
W. H. HERNER,

Managers on the part of the Senate.

The question was, "Shall the report of the committee of Conference be agreed to?"

The yeas and nays were taken, and resulted — yeas 68, nays 24, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Black,	Colter,	Donaldson,
Beatty,	of Wyandot,	Cowan,	Doster,
Behne,	Bour,	Crawford,	Ertel,
Beyer,	Brennan,	Criswell,	Etling,
Bigelow,	Cameron,	of Morrow,	Fell,
Bishop,	Carroll,	Deaton,	Fellinger,
Black,	Chapman,	Detrick,	Guthery,
of Hamilton,	Clark,	Dickson,	Hite,

Those who voted in the affirmative were: Messrs. — Concluded.

Hoaglin,	Leist,	Orrison,	Snyder,
Hoffman,	Lowry,	Plumb,	of Pickaway,
Holl,	Lustig,	Reppert,	Terrell,
Horwitz,	McGuffey,	Schaefer,	Tetlow,
Hunter,	Mills,	Schweikert,	Thatcher,
Kessler,	Morris,	Shanley,	Thomas,
Kilrain,	Mueller,	Siebert,	Walsh,
King,	Murphy,	Smith, of Butler,	Warnes,
of Ashtabula,	Nungesser,	Snyder,	Wintermute,
Kramer,	Nye,	of Hamilton,	Winters—68.
Lambert,	Orlikowski,		

Those who voted in the negative were: Messrs.

Anderson,	Gilson,	Pence,	Robinson,
Appenzeller,	Hoover,	Quinlisk,	Smith, of Morgan,
Brown, of Union,	Jackson,	Reid, of Fayette,	White,
Capelle,	Kathe,	Reighard,	Williams,
Cohover,	Kemerer,	Reynolds,	Winans,
Fulton,	King, of Franklin,	Rhulman,	Woodworth—24.

The report of the committee of conference on **H. B. No. 11**—Mr. Mills, was agreed to.

The following message was received from the Governor:

State of Ohio.
Executive Department
Office of the Governor.

February 16, 1914.

To the General Assembly:

Under existing law giving the State the right to lease ministerial or school lands, the authority is so limited that this can only be done for agricultural purposes. Since the passage of the law it develops that the State has mineral and oil rights which should be utilized, and I respectfully recommend that a change be made which will permit the State to lease said lands for agricultural, mineral and oil purposes.

The new constitution provides that when a bond issue is made by any subdivision of government a levy shall be made at the same time for the purpose of taking care of the interest and sinking fund. The statute under which we operated prior to that time did not make this procedure mandatory. As a result current expenses were taken care of first and provision for the bonded debt next. The limitation on the tax rate inevitably led to some complication. The spirit of the constitutional provision is that every subdivision, in making its current levy, should set apart a sum first to pay its debts and then give attention to the matter of running expenses. If no provision is made by statute it will not be mandatory on the part of local officials to follow the provisions of the constitution on this subject with respect to bond issues made prior to the time the constitutional amendment was adopted. It is therefore suggested that the Legislature give consideration to the matter of so amending the law that a levy for the purpose of meeting the interest on the debt of any subdivision shall precede that to be made for current expense. Common good faith too suggests that the Legislature remove any question as to the validity of bonds issued prior to the constitutional change.

The best and advanced thought of the State has been directed for a long time to the subject of taxation. There is nothing more fundamental in the whole principle involved than that the levy to be made for the year should be determined by prudence and necessity on the part of local subdivisions of government. In the past the levy has been made without any regard to the duplicate of the current year. It has been a mere matter of guess work. The provision of the law has been that the budget commission should meet on the first Monday of June annually and fix the levy. The duplicate has not been completed by this time so that there was a manifest contradiction in the law when we consider the feature of physical possibilities. It was sought in amending the tax laws of the last regular session of the Legislature to provide for this situation by moving the first day of assessment of property for taxation from the day preceding the first Monday in April to the first Monday in February. Experience demonstrates that the elements of efficiency and equity would be promoted by moving the date upon which the budget commissions shall assemble from June to a later period in the year than by setting forward the tax listing day. The whole situation in the country is so transitional in character during the months of February and March that the April date of assessment, it seems to me, ought to be restored, at the same time, however, the law should be changed authorizing the budget commissions to meet later in the year and it should be made mandatory upon them to make the levy on the current duplicate. I therefore respectfully recommend that your honorable body change the dates of assessment and of the budget assembly.

JAMES M. COX,
Governor.

On motion of Mr. Lowry, the several matters referred to in the Governor's message were referred as follows:

Lease of Ministerial or School Lands. To the committee on Public Lands.

Bond Issue Levy. To the committee on Taxation.

Date of Assessment of Property for Taxation. To the committee on Taxation.

Mr. Carroll submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills and joint resolutions:

S. B. No. 27 — Mr. Holden.

To authorize an investigation of the judicial system of Ohio and a report as to the best method of securing more speedy and less expensive administration of justice.

S. B. No. 7 — Mr. Lloyd.

To amend sections 7753 and 7754 of the General Code and to add supplementary sections 7753-1, 7753-2 and 7753-3 relating to the inspection of High Schools.

S. B. No. 22 — Mr. Herner.

To amend section 1412 of the General Code, as amended in an act entitled "An act to protect certain game", (O. L. Vol. 103 page 167).

S. B. No. 26 — Mr. Cook.

To amend section 1637 of the General Code to take away the jurisdiction of the Insolvency Court of Hamilton County in divorce and alimony cases.

S. B. No. 23 — Mr. Haas.

To authorize township trustees to construct, rebuild and repair foot bridges.

S. B. No. 24 — Mr. Gregory.

To amend section 1639 of the General Code so as to provide for the election of one of the common pleas judges of the First Judicial District as a judge of the court of common pleas, division of domestic relations, and to provide for assigning to him all juvenile court work and all divorce and alimony cases.

S. B. No. 13 — Mr. Weygandt.

To amend section 12600-45 of the General Code relating to the construction of school buildings.

S. B. No. 3 — Mr. Green.

To regulate the weighing of coal at the mine.

S. B. No. 19 — Mr. Hopple.

To amend section 7766 of the General Code, relative to the age limit of females who are entitled to receive schooling certificates.

S. B. No. 16 — Mr. Zmunt.

To authorize the Governor of Ohio to execute a deed for lands within the City of Cleveland.

S. B. No. 5 — Mr. Herner.

To amend section 31 of the General Code, relating to official seals.

S. B. No. 17 — Mr. Broadstone.

To amend section 1946 of the General Code, relating to the compensation of the officers and employees of the Ohio soldiers' and sailors' orphans' home.

S. B. No. 8 — Mr. Cahill.

To amend sections 7761-1, 7761-2, 7761-3, 7761-4, 7761-5 and 7761-6, and to repeal sections 7761-7 and 7761-8 of the General Code, relating to the teaching of agriculture, in the public schools of Ohio.

S. B. No. 1 — Mr. Mooney.

To amend section 24 of the General Code, providing for the disposition of taxes, assessments, licenses, premiums, fees, penalties, fines, costs, sales, rentals and other moneys received for the state.

S. B. No. 9 — Mr. Hudson.

To amend sections 7658, 7747, 7748 and 7749 of the General Code and to supplement section 7655 by the enactment of additional sections 7655-1, 7655-2, 7655-3, 7655-4, 7655-5, 7655-6, 7655-7 and 7655-8 of the General Code relating to the standardization of schools.

S. B. No. 11 — Mr. Haas.

To amend sections 9934, 9935, 9936, 9937, 9939, 9941 and 9942 and to supplement said section 9937 by enacting a supplemental section to be known as section 9937-a and to repeal sections 9938, 9940, 9944, 9945, 9946 and 9947 of the General Code relating to the organization and government of universities and colleges, and the election of trustees therein.

S. B. No. 28 — Mr. Green.

To amend section 29 of an act of the General Assembly of Ohio, passed February, 1913, approved March 14, 1913, and filed in the office of the secretary of state of Ohio, March 18, 1913, entitled, "An Act to further define the powers, duties and jurisdiction of the state liability

board of awards with reference to the collection, maintenance and disbursement of the state insurance fund for the benefit of injured, and the dependents of killed employes and requiring contribution thereto by employers, and to repeal sections 1465-42, 1465-43, 1465-45, 1465-46, 1465-53, 1465-54, 1465-55, 1465-56, 1465-57, 1465-58, 1465-59, 1465-60, 1465-61, 1465-62, 1465-63, 1465-64, 1465-65, 1465-66, 1465-67, 1465-68, 1465-69, 1465-70, 1465-71, 1465-72, 1465-73, 1465-74, 1465-75, 1465-76, 1465-77, 1465-78, 1465-79 of the General Code." (O. L. Vol. 103, p. 72.)

Sub. S. B. No. 6 — Mr. Weygandt.

To amend sections 5175-29c, 5175-29d, 5175-29e and 5175-29f of the General Code and to enact supplemental sections 5175-29g to 5175-29r inclusive and 5080-1, providing safeguards in connection with the initiative, supplementary and referendum petitions and providing inspectors for the count.

S. J. R. No. 3 — Mr. Cunningham.

Relative to proper federal and state action to abate the loss sustained from hog cholera.

S. J. R. No. 5 — Mr. Beckett.

Relative to the printing of additional copies of "Ohio Legislative History 1909-1913".

VINCENT ZMUNT,
M. A. BROADSTONE,
WM. GREEN,
J. E. HOLDEN,

JAS. T. CARROLL,
W. D. FULTON,
EARL E. ERTEL,
F. J. KILRAIN.

The speaker of the House, in the presence of the House, signed said bills and joint resolutions.

Mr. Carroll submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills and joint resolutions:

H. B. No. 2 — Mr. Welsh.

To amend section 2269 of the General Code, relating to the publishing and distribution of the annual reports of the appointive state officers and boards.

H. B. No. 10 — Mr. Shanley.

To supplement section 976 of the General Code by the enactment of supplemental sections 976-1, 976-2, and 976-3, to regulate and prohibit solid shooting in coal mines.

H. B. No. 12 — Mr. Chapman.

To amend section 934 of the General Code relative to emergency supplies which are to be kept for use at the mines.

H. B. No. 15 — Mr. Rhulman.

To amend sections 7595 and 7597 of the General Code and add supplementary section 7595-1, relating to the salaries of teachers and aid to weak school districts.

H. B. No. 22 — Mr. Duffey.

To amend sections 2252 and 2253 of the General Code (as contained in the act entitled "An Act to amend certain sections of the General Code, relative to, et al. 103 O. L. page 405 at pages 418 and 419) providing for the compensation of judicial officers, and additional compensation

for judges of common pleas and superior courts", and to enact new sections to be known as sections 2252-1 and 2252-2.

H. B. No. 24 — Mr. Detrick.

To amend sections 7868 and 7869 of the General Code and to add supplemental sections 7654-1, 7654-2, 7654-3, 7654-4, 7654-5, 7654-6, 7654-7, and 7868-1 of the General Code relating to the training of teachers for village and rural schools.

H. B. No. 31 — Mr. Leist.

Relative to appropriating money for the assistance of weak school districts.

H. B. No. 32 — Mr. Brown, of Ashland.

To amend sections 1079 and 1081 of the General Code and to repeal section 1090 of the General Code, relating to the appointment of members of the agricultural commission.

H. B. No. 34 — Mr. Welsh.

To amend sections 6072, 6087 and 6091 of the General Code, relating to the duties of certain inspectors and to the assessment of the liquor traffic tax.

H. B. No. 35 — Mr. Dickson.

To authorize the state armory board to accept a gift of land in the City of Marietta, Ohio, as the site of an armory building, and to erect thereon an armory.

H. B. No. 36 — Mr. Hoaglin.

To authorize the county commissioners of Paulding county, Ohio, to reimburse the township trustees of Benton township in such county in a sum not to exceed thirteen hundred and seven dollars and thirty-seven cents for money spent in repairing culverts damaged by the flood of 1913.

H. B. No. 38 — Mr. Hastings.

To amend section 1 of "An Act to authorize county commissioners, township trustees, boards of education, road commissioners, councils of municipal corporations and boards and officers thereof temporarily to repair, reconstruct and replace public property and public ways injured or destroyed by floods occurring in March and April, 1913; to authorize county commissioners and councils of municipal corporations to borrow and expend money for the purpose of cleansing public places and private grounds and buildings and removing therefrom any matter deposited therein by said flood which is inimical to the public health, safety or convenience; and to exempt proceedings for the permanent repair, reconstruction and replacement of such public property and public ways, and bonds issued and levies made for such purposes from certain requirements and limitations". (103 O. L. 141), relating to expenditures rendered necessary by floods.

H. B. No. 40 — Mr. Orrison.

To release the claim of the state against the Columbus Savings and Trust Co.

H. B. No. 41 — Mr. Kilpatrick.

To provide for the appointment of one member of the tax commission of Ohio, and to so arrange that appointments to said commission may be hereafter made as provided in section 1465-1 of the General Code, passed June 2, 1911.

H. B. No. 42 — Mr. Bour.

To provide for an investigation as to the condition of the finances of municipalities.

H. B. No. 44 — Mr. Deaton.

To authorize county commissioners to transfer funds for the purpose of paying orders for blind relief.

H. B. No. 45 — Mr. Horwitz.

To authorize the county commissioners of any county to transfer funds for the purpose of providing a fund for the payment of mothers' pension.

H. J. R. No. 2 — Mr. Smith, of Butler.

Relative to the delivery of bills and other legislative documents.

H. J. R. No. 9 — Mr. Smith, of Morgan.

To authorize the printing and publication in pamphlet form of the acts passed at this session of the General Assembly with regard to the school system of Ohio.

H. J. R. No. 12 — Mr. Lowry.

Relative to recess.

H. B. No. 5 — Mr. Guthery.

To grant additional powers to banking corporations organized under the laws of Ohio and to amend section 9764 of the General Code.

H. B. No. 37 — Mr. Welsh.

To amend section 1453 of the General Code, relating to the catching of carp.

H. B. No. 48 — Mr. Fellingner.

Relating to the organization and admission of mutual fire insurance companies and to repeal sections 630, 631, 632, 9525, 9526, 9528, 9538, 9550, 9551, 9552, 9553, 9557, 9558, and 9574 of the General Code.

H. B. No. 16 — Mr. Hoaglin.

To amend sections 3203, 3204, 4763, 4782, 4784, 7582, 7600, 7602, and 7802 of the General Code relating to school district funds.

H. B. No. 43 — Mr. Reid.

To amend sections 8572-1, 8572-16, 8572-6, 8572-18, 8572-22, 8572-28, 8572-43, 8572-44, 8572-51, 8572-67, 8572-77, 8572-80, 8572-94, 8572-99, 8572-112, 8572-113, and 8572-114 relating to the registration of land titles.

H. B. No. 14 — Mr. Morris.

To amend sections 7805, 7806, 7807, 7808, 7810, 7811 to 7823 inclusive, 7825, 7830, 7831, 7832, 7832-1, 7834, 7835, 7836, 7837, 7839, 7844, 7845, 7846, 7847, 7854, 7855, 7857, 7858, and to add supplementary section 7807-1 to 7807-6 inclusive, 7821-1, 7821-2, 7822-1, 7823-1, and 7832-2, and to repeal sections 7740, 7741, 7848, 7858-1, to 7858-7 inclusive of the General Code relating to the certification and examination of teachers in the public schools.

H. B. No. 46 — Mr. Clark.

To amend sections 6373-1, 6373-2, 6373-3, 6373-4, 6373-5, 6373-6, 6373-7, 6373-8, 6373-9, 6373-10, 6373-11, 6373-12, 6373-13, 6373-14, 6373-15, 6373-16, and 6373-24 of the General Code of Ohio, to further regulate the sale of bonds, stocks and other securities and of real estate not located in Ohio and to prevent fraud in such sales.

H. B. No. 33 — Mr. Black, of Hamilton.

To amend An Act entitled "An Act providing for enlarging and extending the jurisdiction of the police court of Cincinnati and changing the name of said court to a municipal court" (103 O. L. 279), by amending sections 12, 15, 16, 30, 35, 43 and 45 of said Act, and by repealing section 20 of said act.

H. B. No. 13 — Mr. Lowry.

To amend sections 4679, 4682-1, 4683, 4684, 4685, 4687, 4688, 4689, 4690, 4692, 4696, 4712, 4714, 4715, 4726, 4727, 4728 to 4744 inclusive, 4747, 5653, 7705, 7706, 7730, 7731, to add supplementary sections 4688-1, 4688-2, 4728-1, 4740-1, 4747-1, 4744-1, to 4744-6 inclusive, 7706-1, 7706-2, 7706-3, 7706-4, 7706-5, 7730-1, and to repeal sections 4713, 4716, 4717 to 4725 inclusive of the General Code relating to the supervision of rural and village schools.

H. B. No. 19 — Mr. vonder Heide.

To prevent floods, to protect cities, villages, farms, and highways from inundation and to authorize the organization of drainage and conservation districts.

WM. GREEN,
VINCENT ZMUNT,
M. A. BROADSTONE,
J. E. HOLDEN,

JAS. T. CARROLL,
W. D. FULTON,
EARL E. ERTEL,
F. J. KILRAIN.

The speaker of the House, in the presence of the House, signed said bills and joint resolutions.

By unanimous consent, the following bill was introduced and read the first time.

H. B. No. 49 — Mr. Kramer. To amend section 15 of the General Code, relating to members of the General Assembly.

On motion of Mr. Kramer, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 49** was engrossed at the clerk's desk and read the second time.

The question was "Shall the bill be read the third time?"

Mr. Acker moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out lines 15, 16 and 17.

The question was, "Shall the motion of Mr. Acker be agreed to?"

The yeas and nays were demanded, taken and resulted—yeas 42, nays 41, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Chapman,	Kilrain,	Snyder,
Agler,	Colter,	King,	of Hamilton,
Anderson,	Cooper,	of Ashtabula,	Snyder,
Appenzeller,	Crawford,	Lustig,	of Pickaway,
Beatty,	Deaton,	Nye,	Thomas,
Behne,	Etling,	Plumb,	Walsh,
Bishop,	Foreman,	Reighard,	Welsh,
Boggs,	Freeman,	Reppert,	White,
Bour,	Hunter,	Schaefer,	Wintermute,
Brennan,	Kemerer,	Schweikert,	Winters,
Brown, of Union,	Kessler,	Smith, of Morgan,	Woodworth—42.
Cameron,			

Those who voted in the negative were: Messrs.

Barthelmeh,	Duffey,	Lambert,	Reynolds,
Beyer,	Ertel,	Leist,	Rhulman,
Black,	Fulton,	Lowry,	Robinson,
of Wyandot,	Guthery,	McCormick,	Shanley,
Clark,	Hoaglin,	McGuffey,	Siebert,
Conover,	Holl,	Mills,	Smith, of Butler,
Criswell,	Hoover,	Morris,	Thatcher,
of Morrow,	Horwitz,	Nungesser,	Williams,
Detrick,	Kathe,	Pence,	Winans,
Dickson,	King, of Franklin,	Quinlisk,	Young—41.
Doster,	Kramer,	Reid, of Fayette,	

The motion was agreed to, and Mr. Acker was appointed such committee, and reported the bill amended as instructed.

Mr. Snyder, of Pickaway, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 13, strike out the comma after "utive" and insert the word "or".

Strike out "or judicial".

The question was "Shall the motion of Mr. Snyder, of Pickaway, be agreed to?"

The yeas and nays were demanded, taken and resulted—yeas 67, nays 15, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Deaton,	Kilrain,	Shanley,
Appenzeller,	Dickson,	Kramer,	Siebert,
Barthelmeh,	Donaldson,	Lambert,	Smith, of Butler,
Beatty,	Duffey,	Leist,	Snyder,
Beyer,	Ertel,	Lowry,	of Hamilton,
Bishop,	Etling,	McCormick,	Snyder,
Black,	Fell,	Mills,	of Pickaway,
of Wyandot,	Foreman,	Morris,	Sweeney,
Boggs,	Fulton,	Mueller,	Terrell,
Bour,	Guthery,	Murphy,	Thomas,
Brennan,	Hite,	Nungesser,	Walsh,
Cameron,	Hoaglin,	Nye,	White,
Carroll,	Hoffman,	Pence,	Winans,
Colter,	Holl,	Quinlisk,	Wintermute,
Conover,	Hoover,	Reppert,	Winters,
Crawford,	Kathe,	Rhulman,	Woodworth,
Criswell,	Kemerer,	Schaefer,	Young—67.
of Morrow,	Kessler,	Schweikert,	

Those who voted in the negative were: Messrs.

Brown,	Criswell,	King,	Smith,
of Union,	of Coshocton,	of Franklin,	of Morgan,
Clark,	Freeman,	McGuffey,	Thatcher,
Cooper,	Gilson,	Reid, of Fayette,	Warnes,
	Horwitz,	Robinson,	Williams—15.

The motion was agreed to, and Mr. Snyder, of Pickaway, was appointed such committee, and reported the bill amended as instructed.

Mr. Hoaglin moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 5, capitalize the word "be".

In line 11, capitalize the word "accept".

The motion was agreed to, and Mr. Hoaglin was appointed such committee, and reported the bill amended as instructed.

Mr. Lustig moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add "Section 3. This act is hereby declared an emergency law necessary for the immediate preservation of the public safety. The necessity therefor lies in the fact that it is necessary to prevent certain members of this assembly from receiving remunerative appointment immediately after the adjournment of the present session of the General Assembly."

Mr. Acker raised a point of order that the amendment did not come within the purview of the call of the governor.

The speaker sustained the point of order and declared the amendment out of order.

Mr. Woodworth moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the word "no" in line 4, add the word "Democratic".

Mr. Acker raised a point of order that the amendment did not come within the purview of the call of the governor.

The speaker sustained the point of order and declared the amendment out of order.

Mr. Clark moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert after line 14:

"(4) Make or enter into any contract with the state or any department or branch of the state government, when such contract is made by virtue of non-competitive bidding, for the performance of any work."

Mr. Williams moved to amend the motion as follows:

In line 1 of the amendment, after the word "into", insert the following: "or become directly or indirectly interested in the profits of"

In last line of amendment, strike out the period and add the following: "or the furnishing of any material."

The question was, "Shall the amendment be agreed to?"

The amendment was agreed to.

The question recurred, "Shall the motion of Mr. Clark as amended be agreed to?"

The motion as amended was agreed to, and Mr. Clark was appointed such committee of one, and reported the bill amended as instructed.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Duffey, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 49** was engrossed at the clerk's desk and read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 77, nays 10, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Boggs,	Crawford,	Duffey,
Anderson,	Bonnell,	Criswell,	Ertel,
Barthelmeh,	Bour,	of Coshocton,	Etling,
Beatty,	Brennan,	Criswell,	Fellinger,
Beyer,	Cameron,	of Morrow,	Foreman,
Bigelow,	Carroll,	Deaton,	Freeman,
Bishop,	Chapman,	Dickson,	Fulton,
Black,	Clark,	Diser,	Guthery,
of Wyandot,	Colter,	Donaldson,	Hite,

Those who voted in the affirmative were: Messrs. — Concluded.

Hoaglin,	King,	Nye,	Siebert,
Hoffman,	of Franklin,	Orlikowski,	Smith, of Butler,
Holl,	Kramer,	Orrison,	Snyder,
Hoover,	Lambert,	Pence,	of Hamilton,
Horwitz,	Leist,	Plumb,	Terrell,
Hunter,	Lowry,	Quinlisk,	Thatcher,
Kathe,	Lustig,	Reighard,	Warnes,
Kemerer,	McCormick,	Reppert,	Williams,
Kennedy,	McGuffey,	Reynolds,	Winans,
King,	Mills,	Robinson,	Winters,
of Ashtabula,	Mueller,	Schweikert,	Woodworth,
	Murphy,	Shanley,	Young—77.

Those who voted in the negative were: Messrs.

Agler,	Brown,	Kilrain,	Thomas,
Appenzeller,	of Union,	Morris,	Walsh,
	Doster,	Schaefer,	Wintermute—10.

The bill was passed.

The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate accedes to the request of the House of Representatives for the return of **S. B. No. 10** — Mr. Cunningham. and herewith returns said bill.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lowry moved that the vote by which **S. B. No. 10** — Mr. Cunningham, was passed be reconsidered.

The motion was agreed to and said bill was taken up.

The question was, "Shall the bill pass?"

Mr. Lowry moved that the rule permitting no debate or amendment to a bill after third reading be suspended, and that debate or amendment be permitted on said bill.

The motion was agreed to.

On motion of Mr. Lowry, said bill was referred to Mr. Hoaglin as a select committee of one with leave to report at any time.

By unanimous consent, the following bill was introduced and read the first time.

H. B. No. 50 — Mr. Etling,

To amend sections 5584, 5590 and 5624-4 of the General Code (103 O. L. pages 788, 790 and 799), relating to the assessment of property for taxation.

On motion of Mr. Etling, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 50** was engrossed at the clerk's desk and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Etling, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule re-

quiring bills to be read fully on three different days were dispensed with and **H. B. No. 50** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 95, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kemerer,	Reynolds,
Agler,	of Coshocton,	Kennedy,	Rhulman,
Anderson,	Criswell,	Kessler,	Robinson,
Appenzeller,	of Morrow,	King,	Schaefer,
Barthelmeh,	Deaton,	of Ashtabula,	Schweikert,
Beatty,	Detrick,	King,	Scott,
Bishop,	Dickson,	of Franklin,	Shanley,
Black,	Donaldson,	Kramer,	Siebert,
of Hamilton,	Doster,	Lambert,	Smith, of Butler,
Black,	Duffey,	Leist,	Snyder,
of Wyandot,	Ertel,	Lowry,	of Hamilton,
Boggs,	Etling,	Lustig,	Snyder,
Bonnell,	Fell,	McCormick,	of Pickaway,
Bour,	Foreman,	McGuffey,	Sweeney,
Brennan,	Freeman,	Mills,	Terrell,
Brown,	Fulton,	Morris,	Tetlow,
of Union,	Guthery,	Mueller,	Thomas,
Cameron,	Hite,	Murphy,	vonder Heide,
Capelle,	Hoaglin,	Nungesser,	Walsh,
Carroll,	Hoffman,	Nye,	Warnes,
Chapman,	Holl,	Orlikowski,	White,
Clark,	Hoover,	Orrison,	Winans,
Colter,	Horwitz,	Pence,	Wintermute,
Conover,	Hunter,	Plumb,	Winters,
Cowan,	Jackson,	Quinlisk,	Woodworth,
Crawford,	Kathe,	Reppert,	Young—95.

The bill was passed.

The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the president of the Senate on the part of the Senate has appointed on a committee of conference on the difference between the two houses on **H. B. No. 47**—Mr. Cowan; Messrs. Mooney, Bernstein and Howard.

Attest:

W. V. GOSHORN,

Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 30—Mr. Dollison.

To supplement section 3209, General Code, by enacting section 3209-1, to authorize the leasing of gas, oil and other minerals on unsold portions of sections sixteen and twenty-nine.

Attest:

W. V. GOSHORN,

Clerk.

Said bill was read the first time and referred to Messrs. Reid, vonder Heide and Terrell as a select committee with leave to report at any time.

The following message was received from the Senate:

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on matters of difference between the two houses on **H. B. No. 11** — Mr. Mills.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. 29 — Mr. Cahill.

To amend section 5649-3b of the General Code, as amended April 6, 1913, providing for the time of meeting of county budget commission.

Attest:

W. V. GOSHORN,
Clerk.

Said bill was read the first time.

On motion of Mr. Etling, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 29** was read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Lowry moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 9 strike out "Solicitor" and in lieu thereof insert "president of the board of education"

In line 10 change period to comma (,) and insert the following: "if an elector; and if such president be not an elector; then a member of such board who is an elector to be designated by the board"

Strike out all of line 11 after the word "president" and line 12 to the comma (,) and in lieu thereof insert "of the county board of education"

Mr. Etling raised a point of order that the amendment did not come within the purview of the call of the governor.

The speaker sustained the point of order and declared the amendment out of order.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Etling, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **S. B. No. 29** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 64, nays 7, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Carroll,	Criswell,	Doster,
Beatty,	Chapman,	of Morrow,	Duffey,
Beyer,	Crawford,	Detrick,	Ertel,
Brennan,	Criswell,	Dickson,	Etling,
Cameron,	of Coshocton,	Diser,	Fell,
Capelle,		Donaldson,	Foreman,

Those who voted in the affirmative were: Messrs. — Concluded.

Fulton,	King,	Murphy,	Snyder,
Hite,	of Ashtabula,	Nungesser,	of Hamilton,
Hoaglin,	King,	Orlikowski,	Snyder,
Hoffman,	of Franklin,	Orrison,	of Pickaway,
Holl,	Kramer,	Quinlisk,	Sweeney,
Horwitz,	Leist,	Reynolds,	Venus,
Hunter,	Lowry,	Rhulman,	vonder Heide,
Kathe,	McCormick,	Schaefer,	Winans,
Kemerer,	McGuffey,	Schweikert,	Wintermute,
Kessler,	Mills,	Scott,	Winters,
Kilpatrick,	Morris,	Shanley,	Woodworth,
	Mueller,	Siebert,	Young—64.

Messrs. Bour, Conover, Deaton, Gilson, Hoover, Smith, of Morgan, and Williams voted in the negative.

The bill was passed. The title was agreed to.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 51 — Mr. Reid.

To amend section 5649-1 of the General Code and to supplement the same by the enactment of a supplementary section to be known as 5649-1a, relating to levies for sinking fund and interest purposes.

On motion of Mr. Reid, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 51** was engrossed at the clerk's desk and read the second time.

The question was "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Reid, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 51** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 91, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Crawford,	Horwitz,	Morris,
Agler,	Criswell,	Hunter,	Mueller,
Anderson,	of Coshocton,	Jackson,	Murphy,
Barthelmeh,	Criswell,	Kathe,	Orlikowski,
Beatty,	of Morrow,	Kemerer,	Orrison,
Beyer,	Davis,	Kennedy,	Plumb,
Bishop,	Deaton,	Kessler,	Quinlisk,
Black,	Detrick,	Kilpatrick,	Reid, of Fayette,
of Hamilton,	Dickson,	Kilrain,	Reighard,
Boggs,	Donaldson,	King,	Reynolds,
Bonnell,	Ertel,	of Ashtabula,	Rhulman,
Bour,	Etling,	King,	Robinson,
Brennan,	Fellinger,	of Franklin,	Schaefer,
Brown,	Foreman,	Kramer,	Schweikert,
of Union,	Fulton,	Leist,	Scott,
Cameron,	Guthery,	Lowry,	Shanley,
Capelle,	Hite,	Lustig,	Siebert,
Carroll,	Hoffman,	McCormick,	Smith, of Butler,
Clark,	Holl,	McGuffey,	Smith,
Conover,	Hoover,	Mills,	of Morgan,

Those who voted in the affirmative were: Messrs. — Concluded.

Snyder,	Terrell,	vonder Heide,	Winans,
of Hamilton,	Tetlow,	Walsh,	Wintermute,
Snyder,	Thatcher,	Warnes,	Winters,
of Pickaway,	Thomas,	White,	Woodworth,
Sweeney,	Venus,	Williams,	Young—91.

The bill was passed.

And thereupon, by direction of the speaker, upon section 3, being the emergency section the yeas and nays were taken, and resulted—yeas 84, nays 3, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Deaton,	Kilrain,	Scott,
Agler,	Detrick,	King,	Shanley,
Anderson,	Dickson,	of Ashtabula,	Siebert,
Appenzeller,	Donaldson,	King,	Smith, of Butler,
Beatty,	Doster,	of Franklin,	Smith,
Bishop,	Ertel,	Leist,	of Morgan,
Black,	Etling,	Lowry,	Snyder,
of Hamilton,	Fell,	Lustig,	of Hamilton,
Boggs,	Fellinger,	McCormick,	Snyder,
Bonnell,	Foreman,	McGuffey,	of Pickaway,
Bour,	Fulton,	Morris,	Sweeney,
Brennan,	Guthery,	Murphy,	Terrell,
Brown,	Hite,	Nungesser,	Thatcher,
of Union,	Hoffman,	Orlikowski,	Thomas,
Cameron,	Holl,	Plank,	Venus,
Capelle,	Hoover,	Plumb,	vonder Heide,
Carroll,	Horwitz,	Quinisk,	Warnes,
Chapman,	Jackson,	Reid, of Fayette,	White,
Clark,	Kathe,	Reighard,	Williams,
Conover,	Kemerer,	Rhulman,	Winans,
Crawford,	Kennedy,	Robinson,	Wintermute,
Criswell,	Kessler,	Schaefer,	Winters,
of Coshocton,	Kilpatrick,	Schweikert,	Woodworth—84.

Messrs. Criswell, of Morrow, Mills and Young voted in the negative.

The emergency section was adopted.

The title of the bill was agreed to.

Mr. Reid submitted the following report:

The select committee to which was referred **S. B. No. 30** — Mr. Dollison, with leave to report at any time, having had the same under consideration, reports it back and recommends its passage.

VIRGIL J. TERRELL.

C. A. REID.

V. J. vonder HEIDE.

The report was agreed to.

On motion of Mr. Reid, the rule requiring bills after being reported back from committee to be placed on the calendar for second reading the second day following and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **S. B. No. 30** was read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Reid, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring

bills to be read fully on three different days were dispensed with and **S. B. No. 30** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 68, nays 20, as follows:

Those who voted in the affirmative were: Messrs.

Agler,	Criswell,	King,	Schweikert,
Anderson,	of Morrow,	of Franklin,	Shanley,
Beatty,	Detrick,	Kramer,	Smith, of Butler,
Behne,	Donaldson,	Lambert,	Snyder,
Beyer,	Ertel,	Leist,	of Pickaway,
Bigelow,	Etling,	Lowry,	Sweeney,
Bishop,	Fellinger,	Lustig,	Terrell,
Black,	Fulton,	Mills,	Tetlow,
of Wyandot,	Guthery,	Morris,	Thatcher,
Brennan,	Hite,	Murphy,	Thomas,
Cameron,	Hoffman,	Nungesser,	Venus,
Capelle,	Holl,	Orlikowski,	vonder Heide,
Carroll,	Horwitz,	Orrison,	Walsh,
Chapman,	Kathe,	Plumb,	Warnes,
Clark,	Kennedy,	Reid, of Fayette,	White,
Crawford,	Kessler,	Reighard,	Winans,
Criswell,	Kilrain,	Reppert,	Winters,
of Coshocton,	King,	Reynolds,	Young—68.
	of Ashtabula,	Schaefer,	

Those who voted in the negative were: Messrs.

Acker,	Deaton,	Jackson,	Robinson,
Black,	Diser,	Kemerer,	Scott,
of Hamilton,	Doster,	McCormick,	Smith,
Boggs,	Fell,	Plank,	of Morgan,
Conover,	Hoover,	Quinlisk,	Wintermute—20.
Davis,	Hunter,		

The bill was passed. The title was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has refused to concur in House amendment to **S. B. No. 12** — Mr. Friebolin.

Attest:

W. V. GOSHORN,

Clerk.

Mr. Young moved that the House insist on its amendment and ask for a committee of conference.

Mr. Clark moved that further consideration of the bill be indefinitely postponed.

The motion was agreed to and **S. B. No. 12** was indefinitely postponed.

By unanimous consent Mr. Ertel offered **H. R. No. 17**.

Resolved, That the following list of claims be allowed and ordered paid and that the speaker be and hereby is directed and authorized to draw his voucher for the payment of the same out of the contingent fund of the House:

A. H. Sawyer, engrossing three memorials.....	\$15 00
Goodman Brothers, winding clock Jan. 1, 1913, to Jan.	
1, 1914	10 00
United States Express Co., expressage.....	2 98

The Frank P. Hall Co., supplies.....	21	14
Underwood Typewriter Co., rentals.....	13	50
The Dunn-Taft Co., cheese cloth.....	6	50
Cottage Rose Garden, flowers.....	3	00
The Erner & Hopkins Co., supplies.....	3	50
Adams Express Co., expressage.....	1	05
George F. Jelleff, labor and supplies.....	2	30
The Morehouse-Martens Co., cheese cloth.....	2	72
Remington Typewriter Co., typewriter.....	45	19
Wendt-Bristol Co., supplies.....	44	50
Minne Rodgers, typewriter rental.....	3	50
The Columbus Citizens Telephone Co., rentals and toll service	182	05
The M. C. Lilley & Co., 1 flag.....	3	75
John Barber, services.....	70	00
Robert Smith, services.....	70	00
Franklin Towel Supply Co., towels.....	45	67
Crystal Ice Mfg. Co., water and ice.....	74	10
Central Union Telephone Company, rentals and toll service	237	87
Western Union Telegraph Co., telegram.....	27	

Mr. Ertel moved that the rule requiring resolutions to lie over **one** day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 87, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Carroll,	Hunter,	Reppert,
Agler,	Chapman,	Jackson,	Reynolds,
Anderson,	Clark,	Kennedy,	Rhulman,
Appenzeller,	Colter,	Kessler,	Robinson,
Barthelmeh,	Conover,	King,	Schaefer,
Beatty,	Crawford,	of Franklin,	Schweikert,
Behne,	Criswell,	Kramer,	Scott,
Beyer,	of Coshocton,	Lambert,	Shanley,
Bigelow,	Criswell,	Leist,	Siebert,
Bishop,	of Morrow,	Lowry,	Smith, of Butler,
Black,	Davis,	Lustig,	Smith,
of Hamilton,	Deaton,	Mills,	of Morgan,
Black,	Detrick,	Morris,	Sweeney,
of Wyandot,	Dickson,	Mueller,	Thatcher,
Boggs,	Diser,	Murphy,	Thomas,
Bonnell,	Ertel,	Nungesser,	Venus,
Bour,	Fell,	Orlikowski,	vonder Heide,
Brennan,	Fellinger,	Orrison,	Walsh,
Brown,	Foreman,	Pence,	Warnes,
of Ashland,	Guthery,	Plank,	Williams,
Brown,	Hite,	Plumb,	Winans,
of Union,	Hoffman,	Quinlisk,	Wintermute,
Cameron,	Holl,	Reid, of Fayette,	Winters—87.
Capelle,	Hoover,	Reighard,	

The resolution was adopted.

Mr. Clark moved that a message be sent to the Senate requesting the return of **S. B. No. 21** — Mr. Gregory.

The motion was agreed to.

Mr. Acker moved that the vote by which **H. J. R. No. 11** — Mr. Cowan, was lost, be reconsidered.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

Mr. Doster moved to amend the resolution as follows:

Strike out the last two paragraphs and in lieu thereof insert the following:

"Resolved, That the Clerk of the House of Representatives and the Clerk of the Senate are hereby authorized and directed to compile said Volume 2 of the History of Legislation by the 80th General Assembly of Ohio".

The motion was disagreed to.

Mr. Terrell moved to amend the resolution as follows:

Strike out "James K. Mercer" and insert the "Clerk of the House of Representatives."

The question was, "Shall the motion of Mr. Terrell be agreed to?"

The yeas and nays were demanded, taken and resulted—yeas 20, nays 62, as follows:

Those who voted in the affirmative were: Messrs.

Bigelow,	Holl,	Mills,	Tetlow,
Bonnell,	Hunter,	Orlikowski,	Thatcher,
Criswell,	Kemerer,	Quinlisk,	Venus,
of Coshocton,	Kilpatrick,	Robinson,	White,
Deaton,	Kilrain,	Terrell,	Young—20.
Doster,			

Those who voted in the negative were: Messrs.

Acker,	Chapman,	Kennedy,	Schweikert,
Agler,	Clark,	Kessler,	Scott,
Barthelmeh,	Colter,	King,	Shanley,
Beatty,	Conover,	of Ashtabula,	Siebert,
Behne,	Cooper,	King,	Smith, of Butler,
Bishop,	Davis,	of Franklin,	Snyder,
Black,	Detrick,	Lowry,	of Hamilton,
of Hamilton,	Dickson,	Lustig,	Snyder,
Black,	Diser,	McCormick,	of Pickaway,
of Wyandot,	Fell,	McGuffey,	Thomas,
Boggs,	Fellinger,	Morris,	vonder Heide,
Bour,	Freeman,	Orrison,	Walsh,
Brennan,	Guthery,	Pence,	Williams,
Brown,	Hoffman,	Plumb,	Winans,
of Union,	Hoover,	Reynolds,	Wintermute,
Cameron,	Horwitz,	Rhulman,	Winters,
Capelle,	Kathe,	Schaefer,	Woodworth—62.
Carroll,			

The motion was disagreed to.

Mr. Lustig demanded the previous question, which was duly seconded. The question was, "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Dickson,	Lambert,	Shanley,
Appenzeller,	Duffey,	Leist,	Siebert,
Beatty,	Fell,	Lowry,	Smith, of Butler,
Behne,	Fellinger,	Lustig,	Snyder,
Beyer,	Foreman,	Morris,	of Pickaway,
Bishop,	Guthery,	Murphy,	Sweeney,
Boggs,	Hoaglin,	Nungesser,	Thomas,
Bour,	Hoffman,	Orlikowski,	Venus,
Brennan,	Holl,	Orrison,	vonder Heide,
Cameron,	Horwitz,	Plumb,	Walsh,
Capelle,	Kathe,	Quinlisk,	Warnes,
Carroll,	Kennedy,	Reppert,	Williams,
Chapman,	King,	Reynolds,	Wintermute,
Clark,	of Ashtabula,	Rhulman,	Winters,
Cowan,	King,	Schaefer,	Woodworth.—61.
Crawford,	of Franklin,	Schweikert,	
Detrick,			

Those who voted in the negative were: Messrs.

Agler,	Colter	Hoover,	Robinson,
Barthelmeh,	Conover,	Hunter,	Scott,
Bigelow,	Criswell,	Kemerer,	Snyder,
Black,	of Coshocton,	Kessler,	of Hamilton,
of Hamilton,	Criswell,	Kilpatrick,	Terrell,
Black,	of Morrow,	Kilrain,	Tetlow,
of Wyandot,	Davis,	Kramer,	Thatcher,
Bonnell,	Deaton,	Mills,	White,
Brown,	Doster,	Plank,	Winans,
of Union,	Freeman,	Reighard,	Young—84.

The resolution was lost.

OBJECTIONS OF THE GOVERNOR TO H. B. NO. 22.

State of Ohio,
Executive Department,
Office of the Governor.

To the General Assembly:

The sectional numbering of **H. B. No. 22** appears to be so seriously faulty as to jeopardize actual legislative intent. I assume that this is purely a clerical error and, while returning the bill to the house of origin unapproved, take occasion to suggest that the defect be remedied and the bill repressed.

JAMES M. COX,
Governor.

February 16, 1914.

The question was, "Shall the bill pass notwithstanding the objections of the Governor?"

Mr. Black, of Hamilton, moved that further consideration be indefinitely postponed.

The motion was agreed to.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 52 — Mr. Duffey.

To amend sections 2252 and 2253 of the General Code (as contained in the Act entitled "An Act to amend certain sections of the General Code, relative to, et al.," 103 O. L., page 405, at page 418 and 419) pro-

viding for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts, and to enact new sections to be known as sections 2252-1 and 2252-2.

On motion of Mr. Duffey, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 52** was engrossed at the clerk's desk and read the second time.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Duffey, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be fully read on three different days were dispensed with and **H. B. No. 52** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 89, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilrain,	Reynolds,
Agler,	of Morrow,	King,	Rhulman,
Appenzeller,	Davis,	of Ashtabula,	Robinson,
Barthelmeh,	Deaton,	King,	Schaefer,
Behne,	Detrick,	of Franklin,	Schweikert,
Beyer,	Dickson,	Kramer,	Scott,
Bishop,	Diser,	Lambert,	Shanley,
Black,	Doster,	Leist,	Siebert,
of Hamilton,	Duffey,	Lowry,	Smith, of Butler,
Boggs,	Etlung,	Lustig,	Smith,
Bour,	Fellinger,	McCormick,	of Morgan,
Brennan,	Foreman,	McGuffey,	Snyder,
Cameron,	Hastings,	Mills,	of Pickaway,
Capelle,	Hite,	Morris,	Sweeney,
Carroll,	Hoaglin,	Mueller,	Terrell,
Chapman,	Hoffman,	Murphy,	Tetlow,
Clark,	Holl,	Nungesser,	Thatcher,
Colter,	Hoover,	Nye,	Thomas,
Conover,	Horwitz,	Orlikowski,	Venus,
Cooper,	Hunter,	Orrison,	Walsh,
Crawford,	Jackson,	Plank,	Warnes,
Criswell,	Kemerer,	Plumb,	Williams,
of Coshocton,	Kennedy,	Quinlisk,	Winans,
	Kilpatrick,	Reppert,	Wintermute,
			Woodworth—89.

Mr. Gilson voted in the negative.

The bill was passed.

The title was agreed to.

By unanimous consent the following bill was introduced and read the first time:

H. B. No. 53 — Mr. Cowan.

To make sundry appropriations.

On motion of Mr. Cowan, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 53** was engrossed at the clerk's desk and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Winters moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out lines 21 to 30 inclusive.

The motion was disagreed to.

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out lines 57, 58, 59 and 60.

Strike out lines 71 and 72 and insert the following: "the Ohio Archaeological and Historical Society"

After line 90 insert the following:

"To provide for the rental, use, maintenance and management of Longview Hospital, Hamilton County, Ohio, as is provided in 103 Ohio Laws at page 754 of said laws and entitled "An Act to provide for the lease by the state of the Longview Hospital and other property in Hamilton County; for its use, maintenance and management, and the ultimate purchase thereof..... \$32,000 00"

After line 93 insert the following:

"Ohio State University additional allowance for summer term \$5,000 00"

After line 93 insert the following:

"Grace Ackland Jansen, in full settlement for all claims for the death of her husband, Andrew M. Jansen. Said Andrew M. Jansen's death having been caused by an infection from glanders while in the employ of the Ohio State University \$3750 00"

In line 147 strike out "\$5,000.00" and substitute therefor "\$10,000.00."

In line 149 strike out "city" and substitute therefor "citizens."

In line 150 strike out all after "the" and substitute therefor "purpose of furnishing, beautifying and equipping said memorial building."

After line 250 insert the following:

"Jarvis Estate Co., damages to real estate by overflow of canal at Massillon, O. \$247 00"

William Voght, damages to real estate by overflow of canal at Massillon, O. \$32 00"

After line 128 insert the following:

"Capt. Wade C. Christy, 5th Ohio Infantry, O. N. G. compensation for disability from flood services..... \$750 00"

After line 128 insert the following:

"Losses sustained by the members of the Essex Ship Company during tour of duty at Dayton, Ohio..... \$500 00"

After line 128 insert the following:

"Lieutenant Charles H. Milton, 5th Inf., Cleveland, injuries sustained Dayton, Ohio, night April 2nd, and 3rd, 1913 \$2000 00"

After line 90 insert:

"Mid-Winter Fair, Ohio State Fair Grounds \$1500.00. This amount to be expended under the direction of the Agricultural Commission for the purpose of promoting the agricultural welfare of the state by holding a mid-winter Fair and joint exhibition on the Ohio State Fair Grounds, by the various Agricultural Societies and activities of the State.

After line 225 insert the following:

"Minnie Krueger, damage by Ohio and Erie canal..... \$50 00"

After line 40 insert the following:

"State Board of Health, expenses of removing from Hartman Building to Ohio State University..... \$200 00"

The motion was agreed to, and Mr. Cowan was appointed such committee, and reported the bill amended as instructed.

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 250 insert the following:

"Continuation of revetment wall Lake St. Marys..... \$30,000 00"

Mr. Kennedy moved to amend the motion as follows: Strike out the numerals "\$30,000.00" and insert "\$40,000.00".

The question was, "Shall the amendment be agreed to?"

The amendment was agreed to.

The question recurred, "Shall the motion of Mr. Cowan as amended be agreed to?"

The motion as amended was agreed to, and Mr. Cowan was appointed such committee of one and reported the bill amended as instructed.

Mr. Colter moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 47 insert the following: "Commissioners Fort Meigs Memorial for necessary improvements. \$1,000.00."

The motion was agreed to, and Mr. Colter was appointed such committee, and reported the bill amended as instructed.

Mr. vonder Heide moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 128 insert: "J. F. Hegman, Dayton, Ohio, for automobile destroyed by militia during Dayton flood, \$1,200.00."

The motion was disagreed to.

Mr. Young moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of lines 94, 95, 96, 97 and 98.

The motion was disagreed to.

Mr. Kennedy moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 52 insert:

"The balance remaining unexpended in the fund appropriated for the erection of a monument or memorial building at site of Ft. Amanda, Auglaize County, Ohio, (Vol. 103, page 607, Ohio Laws) such balance to remain subject to all terms and conditions of original appropriation".

The motion was agreed to, and Mr. Kennedy was appointed such committee, and reported the bill amended as instructed.

Mr. Detrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 238 insert: "For continuation of revetment wall

at Indian Lake \$10,000 00"

The motion was agreed to, and Mr. Detrick was appointed such committee, and reported the bill amended as instructed.

Mr. Snyder, of Pickaway, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 17 change the figures from 306.85 to 336.85.

The motion was agreed to, and Mr. Snyder, of Pickaway, was appointed such committee, and reported the bill amended as instructed.

Mr. Snyder, of Pickaway, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 254 strike out "25,000.00" and substitute "10,000.00."

The motion was disagreed to.

Mr. Wintermute moved to refer the bill to a select committee of one, with instructions to amend as follows:

After line 237 insert: "for filling back of wall north side of Lake St. Marys in the village of Celina..... \$15,000 00"

The motion was disagreed to.

Mr. Fellingner moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 192, change "Ernest & Ernest" to "Ernst & Ernst".

The motion was agreed to, and Mr. Fellingner was appointed such committee, and reported the bill amended as instructed.

Mr. vonder Heide demanded the previous question, which was duly seconded.

The question was, "Shall the debate now close?" The motion was agreed to and the main question ordered.

The question was, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Cowan, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 53** was engrossed at the clerk's desk and read the third time.

The question was "Shall the bill pass?"

The yeas and nays were taken, and resulted—yeas 89, nays 7, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Kilpatrick,	Reynolds,
Agler,	Criswell,	Kilrain,	Rhulman,
Anderson,	of Coshocton,	King,	Robinson,
Barthelmeh,	Criswell,	of Ashtabula,	Schaefer,
Beatty,	of Morrow,	King,	Schweikert,
Behne,	Davis,	of Franklin,	Scott,
Bigelow,	Deaton,	Kramer,	Shanley,
Bishop,	Detrick,	Lambert,	Siebert,
Elack,	Dickson,	Leist,	Smith, of Butler,
of Hamilton,	Diser,	Lowry,	Smith,
Black,	Doster,	Lustig,	of Morgan,
of Wyandot,	Duffey,	McCormick,	Snyder,
Boggs,	Ertel,	McGuffey,	of Hamilton,
Bonnell,	Etling,	Mills,	Snyder,
Bour,	Fell,	Morris,	of Pickaway,
Brennan,	Fellingner,	Mueller,	Sweeney,
Brown,	Foreman,	Murphy,	Thatcher,
of Union,	Fulton,	Nungesser,	Thomas,
Cameron,	Hite,	Nye,	Venus,
Carroll,	Hoffman,	Orlikowski,	vonder Heide,
Chapman,	Holl,	Orrison,	Walsh,
Clark,	Horwitz,	Plank,	Warnes,
Colter,	Kathe,	Plumb,	Winters,
Conover,	Kennedy,	Quinlisk,	Woodworth—89.
Cooper,	Kessler,	Reppert,	

Messrs, Capelle, Gilson, Hunter, Kemerer, Reighard, Stivers and Young voted in the negative.

The bill was passed.

The title was agreed to.

Mr. vonder Heide moved that the House recess until tomorrow at 9:00 o'clock A. M.

The motion was disagreed to.

Mr. Chapman moved that the House recess until 8:00 o'clock P. M. The motion was agreed to and the House recessed.

8:00 o'clock P. M.

The House met pursuant to recess.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bills:

H. B. No. 50 — Etling.

H. B. No. 51 — Reid.

Attest:

W. V. GOSHORN,
Clerk.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 54 — Mr. Cowan.

To make appropriations to pay unauthorized deficiencies and liabilities existing prior to February 15, 1914.

On motion of Mr. Cowan, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 54** was engrossed at the clerk's desk and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. Cowan moved to refer the bill to a select committee of one, with instructions to amend as follows: After line 10 insert the following:

"James G. Johnson, salary as Judge of Supreme Court from January 1, 1912, to February 15, 1913.....	\$7,312 46
Expenses common pleas judges and judges of courts of appeals"	2,500 00

After line 27, insert the following:

"For the payment of obligation to The National Equipment and Supply Company, of Sullivan, Indiana, for use of a road roller incurred by State Highway Commissioner in the construction by force account 1912 of Section 2 Jefferson Tp. road, Williams County, Ohio"	\$513 34
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The motion was agreed to, and Mr. Cowan was appointed such committee, and reported the bill amended as instructed.

The question recurred "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. Cowan, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 54** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 74. nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Rhulman,
Agler,	of Coshocton,	Kilpatrick,	Schaefer,
Anderson,	Criswell,	King,	Schweikert,
Barthelmeh,	of Morrow,	of Ashtabula,	Scott,
Beatty,	Davis,	Kramer,	Shanley,
Bigelow,	Deaton,	Lambert,	Smith, of Butler,
Bishop,	Dickson,	Leist,	Smith,
Black,	Dickson,	Lowry,	of Morgan,
of Hamilton,	Diser,	Lustig,	Snyder,
Black,	Donaldson,	McGuffey,	of Hamilton,
of Wyandot,	Doster,	Morris,	Snyder,
Bonnell,	Duffey,	Mueller,	of Pickaway,
Bour,	Etling,	Nungesser,	Sweeney,
Brennan,	Fell,	Orlikowski,	Thatcher,
Cameron,	Fellinger,	Orrison,	Venus,
Carroll,	Hite,	Plank,	vonder Heide,
Chapman,	Hoffman,	Plumb,	Williams,
Colter,	Hunter,	Quinlisk,	Wintermute,
Conover,	Kathe,	Reighard,	Winters,
Cowan,	Kennedy,	Reppert,	Woodworth,
		Reynolds,	Young—74.

Messrs. Capelle and Gilson voted in the negative.

The bill was passed.

The title was agreed to.

By unanimous consent, Mr. Cowan submitted the following report:

The committee of Conference, to which were referred the matters of difference between the two houses on **H. B. No. 47**—Mr. Cowan, having had the same under consideration does recommend to the respective houses as follows:

That said bill as amended and passed by the Senate be further amended as follows and when so amended that both houses concur therein:

In line 16 change the numerals "\$259,206.00" to "\$248,108.00."

In line 17 change the numerals "\$155,218.15" to "\$166,312.15."

In line 20 change the numerals "\$82,995.11" to "\$92,995.11."

In line 102 change the numerals "\$12,340.00" to "\$6,000.00."

In line 111 change the numerals "\$8,500.00" to "\$9,220.00."

After line 121 insert the following:

"For co-operation with the U. S. geological survey, in the preparation and completion of a contour topographic survey and map of this state. To be paid upon vouchers approved by the Governor, and the Governor is hereby authorized to arrange for carrying on such work with the representatives of the U. S. geological survey, and he may accept or reject the work of the U. S. geological survey; and if he finds it necessary to have an assistant in this work he may employ a competent person and pay him a reasonable compensation of the appropriation."

In line 127 after the word "service" insert, "receipts from the Ohio State Sanatorium".

In line 128 after the word "government" strike out "and the Ohio State Sanatorium".

In line 128e change the capital beginning the word "expenditures" into a small letter and precede the same with the following: "in so far as the labor of inmates of state institutions is employed."

Strike out all of section 3 from lines 213 to 226 inclusive and in lieu thereof substitute the following:

"Section 3. A detailed and itemized budget of the several departments, institutions, boards and commissions of the state is attached hereto as an appendix. The moneys appropriated in section 1 of this act under the general headings of, "Personal Service", "Maintenance", or under like designation, to each department, institution, board or commission, shall be and constitute the summary controlling account, and shall be expended only in accordance with such detailed classifications as are provided in the said budget, and as provided in section 5 of this act, except as herein after in this section provided.

Copies of this said budget shall be certified by the Secretary of State and delivered, one to the Governor and one to the Auditor of State.

Authority to expend the moneys appropriated in section 1 of this act, otherwise than in accordance with detailed classifications of the said budget, but within the same summary controlling account, may be granted to any such department, institution, board or commission by a board consisting of the Governor, and any competent disinterested person to be appointed by him for such purpose, the chairmen of the finance committees of the House of Representatives and the Senate respectively, the Attorney General and the Auditor of State. Said board may, upon application made to it in writing, by a two-thirds vote of all its members, authorize moneys set aside under any detailed classification of the budget of such department, institution, board or commission, to be expended for any purpose within the purview of any other detailed classification within the same summary controlling account thereof.

In case of any variance between the amount of any summary controlling account and the aggregate amount of the corresponding detailed classifications in said budget the board provided for herein shall, with the advice and assistance of the department, institution, board or commission affected thereby, adjust the amounts of the detailed classifications so as to correspond in the aggregate with the corresponding summary controlling account.

The Governor, or the person appointed by him, shall be president, and the Auditor of State shall be secretary of the board provided herein. The secretary shall keep a complete record of all the proceedings. All actions of the board shall be certified in duplicate by its secretary to the Governor and the Auditor of State.

All meetings of the board shall be open to the public.

The necessary expenses of the chairmen of the Senate and House Finance Committees, while engaged in their duties as such members, shall be paid from the fund for expenses of legislative committees upon itemized vouchers approved by the Board."

In line 240 after the word "except" insert the following: "in accordance with the detailed classification of the Budget of authorized expenditures, and".

In line 246 after the word "form" insert the following: "and specify the Budgetary classification of,"

In line 250 after the words "Auditor of State" strike out the words "a monthly" and insert in lieu thereof the word "an".

In line 254 after the words "provisions are complied with" strike out balance of the line.

Strike out lines 255, 256, 257, 258, 259 and 260.

After the conclusion of the bill as herein amended add the following: (Appendix).

D. F. MOONEY,
MAURICE BERNSTEIN.

Managers on the part of the Senate.

JOHN COWAN,
JAMES R. CLARK.

Managers on the part of the House.

The question was, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken, and resulted—yeas 71, nays 20, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King,	Schaefer,
Barthelmeh,	of Morrow,	of Ashtabula,	Schweikert,
Beatty,	Davis,	Kramer,	Scott,
Behne,	Detrick,	Lambert,	Shanley,
Bigelow,	Dickson,	Leist,	Smith, of Butler,
Bishop,	Donaldson,	Lowry,	Snyder,
Black,	Doster,	Lustig,	of Hamilton,
of Hamilton,	Duffey,	McGuffey,	Snyder,
Black,	Etling,	Morris,	of Pickaway,
of Wyandot,	Fell,	Mueller,	Sweeney,
Boggs,	Fellinger,	Murphy,	Terrell,
Bour,	Fulton,	Nungesser,	Thomas,
Brennan,	Hite,	Nye,	Venus,
Cameron,	Hoffman,	Orlikowski,	vonder Heide,
Carroll,	Holl,	Orrison,	Warnes,
Chapman,	Kathe,	Pence,	Welsh,
Colter,	Kennedy,	Quinlisk,	Wintermute,
Cowan,	Kessler,	Reppert,	Winters,
Criswell,	Kilpatrick,	Rhulman,	Woodworth,
of Coshocton,			Young—71.

Those who voted in the negative were: Messrs.

Agler,	Crawford,	King,	Robinson,
Anderson,	Deaton,	of Franklin,	Tetlow,
Brown,	Diser,	Plumb,	Thatcher,
of Union,	Gilson,	Reighard,	White,
Capelle,	Jackson,	Reynolds,	Williams—20.
Conover,	Kemerer,		

The report of the committee of conference on **H. B. No. 47** was agreed to.

The following protest was submitted and ordered entered upon the journal:

I protest against the passage of **H. B. No. 47**, because the salaries of the state officials and their assistants are grouped under the heading "Personal Service," without being itemized.

This system of appropriating salaries makes possible the increase of the number of assistants and the increase of salaries of officials without the knowledge or consent of the General Assembly.

JOHN F. GILSON.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate accedes to the request of the House of Representatives for the return of **S. B. No. 21** — Mr. Gregory and herewith returns said bill.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Clark moved that the vote by which **S. B. No. 21** — Mr. Gregory, was passed be reconsidered.

The motion was agreed to and said bill was taken up.

The question was, "Shall the bill pass?"

Mr. Kilpatrick moved that the rule permitting no debate or amendment to a bill after third reading be suspended, and that debate or amendment be permitted on said bill.

The motion was disagreed to.

By unanimous consent, Mr. Kilpatrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 59 strike out the numerals "422-7" and insert in lieu thereof the numerals "4227-7".

In line 112 strike out the numerals "4227-8" and insert in lieu thereof the numerals "4227-9".

The motion was agreed to, and Mr. Kilpatrick was appointed such committee, and reported the bill amended as instructed.

The question recurred, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 90, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kilrain,	Schaefer,
Agler,	of Morrow,	King,	Schweikert,
Anderson,	Davis,	of Ashtabula,	Scott,
Barthelmeh,	Deaton,	Kramer,	Shanley,
Beatty,	Detrick,	Lambert,	Smith, of Butler,
Behne,	Dickson,	Leist,	Snyder,
Beyer,	Diser,	Lowry,	of Hamilton,
Bigelow,	Donaldson,	Lustig,	Snyder,
Bishop,	Doster,	McGuffey,	of Pickaway,
Black,	Duffey,	Mills,	Sweeney,
of Wyandot,	Ertel,	Morris,	Terrell,
Boggs,	Eting,	Mueller,	Thatcher,
Bonnell,	Fell,	Murphy,	Thomas,
Bour,	Fellingner,	Nungesser,	Venus,
Brennan,	Fulton,	Orrison,	vonder Heide,
Cameron,	Hoffman,	Pence,	Walsh,
Capelle,	Holl,	Plank,	Warnes,
Carroll,	Horwitz,	Plumb,	Welsh,
Chapman,	Hunter,	Quinlisk,	Williams,
Colter,	Jackson,	Reid, of Fayette,	Wintermute,
Conover,	Kathe,	Reighard,	Winters,
Cowan,	Kemerer,	Reppert,	Woodworth,
Crawford,	Kennedy,	Reynolds,	Young—90.
Criswell,	Kilpatrick,	Rhulman,	
of Coshocton,			

Messrs. Gilson and Nye voted in the negative.

The bill was passed. The title was agreed to.

Mr. King, of Ashtabula, offered **H. R. No. 18.**

WHEREAS, Services have been performed by various ministers of the city of Columbus, Ohio, in opening the exercises of the Extraordinary Session of the House of Representatives; therefore, be it

Resolved, That there is hereby appropriated the sum of fifty dollars for the payment of the ministers who participated in said services, the same to be pro rated by the Clerk of this House.

Mr. King, of Ashtabula, moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 97, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cowan,	Kessler,	Rhulman,
Agler,	Crawford,	Kilpatrick,	Robinson,
Anderson,	Criswell,	Kilrain,	Schaefer,
Appenzeller,	of Coshocton,	King,	Schweikert,
Barthelmeh,	Criswell,	of Ashtabula,	Scott,
Beatty,	of Morrow,	King,	Shanley,
Behne,	Davis,	of Franklin,	Smith, of Butler,
Bigelow,	Deaton,	Kramer,	Smith,
Bishop,	Detrick,	Lambert,	of Morgan,
Black,	Dickson,	Leist,	Snyder,
of Hamilton,	Diser,	Lowry,	of Hamilton,
Black,	Donaldson,	Lustig,	Snyder,
of Wyandot,	Doster,	McGuffey,	of Pickaway,
Boggs,	Duffey,	Mills,	Sweeney,
Bonnell,	Ertel,	Morris,	Terrell,
Bour,	Etling,	Nungesser,	Tetlow,
Brennan,	Fell,	Nye,	Thatcher,
Brown,	Fulton,	Orlikowski,	Thomas,
of Union,	Hite,	Orrison,	Venus,
Cameron,	Hoffman,	Pence,	Warnes,
Capelle,	Holl,	Plank,	Welsh,
Carroll,	Hoover,	Plumb,	White,
Chapman,	Horwitz,	Quinlisk,	Williams,
Clark,	Hunter,	Reid, of Fayette,	Wintermute,
Colter,	Jackson,	Reighard,	Winters,
Conover,	Kathe,	Reppert,	Woodworth—97.
Cooper,	Kennedy,	Reynolds,	

Mr. Young voted in the negative.

The resolution was adopted.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 52 — Mr. Duffey.

To amend Sections 2252 and 2253 of the General Code (as contained in the Act entitled "An act to amend certain sections of the General Code, relative to, et al.," 103 O. L., page 405, at pages 418 and 419) providing for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts, and to enact new sections to be known as sections 2252-1 and 2252-2.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Hoaglin submitted the following report: The select committee of one to which was referred **S. B. No. 10**—Mr. Cunningham, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 5 strike out the numerals "7857", and insert the numerals "7631, 7641, 7679, 7711, 12903, 12909".

In line 18 strike out the words "shall give".

Strike out all of line 19.

In line 20 strike out the words "on official duty," and change the word "While" to "while" and strike out the word "he".

In line 22 strike out the words "Each year he".

Strike out all of line 23.

In line 24 strike out the words "education and other school officers, and."

In line 24 before the word "may" insert the word "He".

Between lines 103 and 112 insert the following:

"Sec. 7631. The board of education of any city, village, * * * or * * * *rural* school district, by resolution, may provide for the establishment, control and maintenance, in such district, of a public library, free to all the inhabitants thereof. For that purpose, by purchase, it may acquire the necessary real property, and erect thereon a library building; acquire, by purchase or otherwise, from any other library association, its library property; receive donations and bequests of money or property for such library purposes, and maintain and support libraries now in existence and controlled by the board."

"Sec. 7641. The board of education in any city, village, or rural school district may contract annually with any library corporation or other organization owning and maintaining a library or with any board of trustees appointed by authority of law, having the management and control of a library, for the use of such library by the residents of such district. Such board of education shall require an annual report in writing from such library corporation or other organization or board of trustees."

In line 153 strike out the words "not exceeding in any."

Strike out all of line 154.

In line 155 strike out the word "district".

In line 172 strike out all after the word "district".

Strike out all of line 173.

In line 174 strike out the words "levies for" and insert in lieu thereof the following: "shall determine by estimate the amount necessary for".

In line 175 change the period to a comma and add the following: "and shall certify such amount to the county auditor in the annual budget as provided in section 5649-3a."

Between lines 187 and 188 insert the following:

"Sec. 7679. In any * * * *rural*, village, or city district, or part thereof, parents or guardians of youth of school age may petition the board of education to organize an evening school. The petition must contain the names of not less than twenty-five youth of school age who will attend such school, and who for reasons satisfactory to the board are prevented from attending day school. Upon receiving such petition the board of education shall furnish a suitable room for the evening school and employ a competent person who holds a regularly issued teacher's certificate, to teach it. Such board may discontinue any such

evening school, when the average evening attendance for any month falls below twelve."

Between lines 210 and 211 insert the following:

"Sec. 7711. Such * * * *superintendent*, during the first half of the month of June, in each year, must furnish to each board of education the names and addresses of all publishers who during the year ending on the first day of the month of June in each year, agreed in writing to furnish their publications upon the terms above provided. A board of education shall not adopt or cause to be used in the common schools any book whose publisher has not complied, as to such book, with the provisions of law relating thereto."

Strike out all of lines 416 to 424 inclusive.

Between lines 454 and 455 insert the following:

"Sec. 12903. Such books shall be published at the expense of the state under the direction of the * * * *superintendent of public instruction*, who shall furnish a copy thereof to each teacher required to give such instruction."

"Sec. 12909. Whoever, being a pupil in the public schools, organizing, joining or belonging to a fraternity, sorority or like society composed or made up of pupils of the public schools, fails to obey the notice provided for in the next preceding section, shall be forthwith suspended from the public schools by the superintendent or principal in charge thereof, * * * until such pupil shall comply with the order of such board of education."

In line 458 strike out the numeral "7857".

In line 459 after the numeral "4695" insert the numerals "7631, 7641, 7679, 7711, 12903, 12909"

The motion was agreed to, and Mr. Hoaglin was appointed a committee of one to amend and reported the bill amended as instructed.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 67, nays 5, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kessler,	Reynolds,
Partelmeh,	of Coshocton,	Kilpatrick,	Rhulman,
Bigelow,	Criswell,	King,	Schaefer,
Bishop,	of Morrow,	of Ashtabula,	Schweikert,
Black,	Davis,	Lambert,	Scott,
of Hamilton,	Deaton,	Leist,	Shanley,
Black,	Detrick,	Lowry,	Smith, of Butler,
of Wyandot,	Dickson,	Lustig,	Sweeney,
Boggs,	Donaldson,	McGuffey,	Tetlow,
Bonnell,	Doster,	Morris,	Venus,
Bour,	Duffey,	Murphy,	vonder Heide,
Brennan,	Fell,	Nungesser,	Walsh,
Cameron,	Fellinger,	Orlikowski,	Warnes,
Capelle,	Hite,	Orrison,	Welsh,
Carroll,	Hoaglin,	Plank,	Wintermute,
Chapman,	Kathe,	Plumb,	Winters,
Colter,	Kemerer,	Quinlisk,	Woodworth,
Crawford,	Kennedy,	Reppert,	Young—67.

Messrs. Reid, Reighard, Robinson, Smith, of Morgan, and Williams voted in the negative.

The bill was passed.

Mr. Hoaglin moved to amend the title to read as follows:

"To amend sections 352, 354, 355, 356, 357, 358, 359, 360, 361, 362, 364, 7631, 7641, 7645, 7646, 7656, 7660, 7661, 7668, 7669, 7672, 7673, 7675, 7679, 7709, 7710, 7711, 7718, 7727, 7752, 7756, 7761, 7763, 7769, 7771, 7772, 7773, 7784, 7786, 7787, 7788, 7789, 7790, 7792, 7793, 7799, 7803, 7804, 7874, 9923, 12903 and 12909, to add supplementary sections 352-1 and 353-1 and to repeal sections 7588, 7589, 7590, 7665, 7717, 7719, 7732, 7741, 7863, 7864, 4693, 4694, 4695 and 4697 of the General Code, relating to the office and duties of the superintendent of public instruction.

The motion was agreed to.

The title as amended was agreed to.

The speaker granted leave of absence to Mr. Hastings on account of sickness.

On motion of Mr. Löwry, the House recessed until Tuesday at 10:00 o'clock A. M.

Tuesday, February 17, 1914, 10:00 o'clock A. M.

The House met pursuant to recess.

Prayer was offered by Reverend D. J. Starr, of Columbus.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in House amendments to **S. B. No. 21** — Mr. Gregory.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on matters of difference between the two houses on **H. B. No. 47** — Mr. Cowan.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Governor:

State of Ohio,
Executive Department,
Office of the Governor.

February 16, 1914.

To the General Assembly:

You are quite familiar with the situation developed by the law licensing motor vehicles being contested in the courts on the ground of constitutional infirmity. At the last session the fees were increased in some instances and a plan of classification on the base of the horsepower unit was worked out. Part of the funds went into the Highway Department and a part was credited to the general fund in the State Treasury. The two issues that were presented in the litigation were classification and the placement of the monies collected. The present session changed the law so as to provide that all of the revenues derived should go into the Highway Department for the purpose of patrolling and maintaining

the public road. The court, even though the case has been heard by the Court of Appeals, did not dispose of the question of classification, so that if the situation were not changed at this time by legislative enactment we would have one point of difference unsettled. The whole matter should be brought to some form of finality. It is therefore recommended that the flat rate be adopted and that some attention be given to the licensing of motorcycles. As the result of the litigation the affairs of the Automobile Branch of the Secretary of State's Office have been in more or less confusion, and I urge upon the Assembly that any change, if made, have the emergency clause attached in order that the police power of the State might be exercised without further interference.

This message concludes the recommendations to your honorable body. I take this means of extending congratulations upon the prompt, efficient and constructive work of the Assembly and to express my gratitude for the good will which has obtained at all times between the Executive and the Legislative Branches of the government during the past year.

JAMES M. COX,
Governor.

On motion of Mr. Lowry, the matter contained in the Governor's message was referred to the committee on Taxation.

By unanimous consent, the following bill was introduced and read the first time:

H. B. No. 55 — Mr. King, of Ashtabula.

To amend sections 6294, 6301 and 12613 of the General Code, relating to motor vehicles, and to subdivide section 6301 into Sections 6301 and 6302.

On motion of Mr. King, of Ashtabula, the rule requiring bills to be referred to committee before second reading and the constitutional rule requiring bills to be fully read on three different days were dispensed with, and **H. B. No. 55** was engrossed at the clerk's desk and read the second time.

The question was, "Shall the bill be read the third time?"

Mr. White moved to refer the bill to a select committee of one, with instructions to amend as follows:

Change the amount for gasoline and steam vehicles by striking out the numerals "\$5.00" and inserting in lieu thereof "\$3.00".

The motion was disagreed to.

The question recurred, "Shall the bill be read the third time?"

The bill was ordered read the third time.

On motion of Mr. King, of Ashtabula, the rule requiring bills to be referred to the committee on Phraseology and the constitutional rule requiring bills to be read fully on three different days were dispensed with and **H. B. No. 55** was read the third time.

The question was, "Shall the bill pass?"

The yeas and nays were taken, and resulted — yeas 93, nays 4, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Bishop,	Bonnell,	Capelle,
Anderson,	Black,	Bour,	Carroll,
Appenzeller,	of Hamilton,	Brennan,	Chapman,
Barthelmeh,	Black,	Brown,	Clark,
Beatty,	of Wyandot,	of Union,	Colter,
Beyer,	Boggs,	Cameron,	Conover,

Those who voted in the affirmative were: Messrs. — Concluded.

Cooper,	Hoffman,	Nye,	Snyder,
Crawford,	Holl,	Orlikowski,	of Hamilton,
Criswell,	Hoover,	Orrison,	Snyder,
of Coshocton,	Horwitz,	Pence,	of Pickaway,
Criswell,	Kathe,	Plank,	Sweeney,
of Morrow,	Kemerer,	Plumb,	Terrell,
Davis,	Kennedy,	Quinlisk,	Tetlow,
Deaton,	Kessler,	Reighard,	Venus,
Detrick,	Kilpatrick,	Reppert,	Vollmer,
Dickson,	King,	Rhulman,	Walsh,
Diser,	of Ashtabula,	Robinson,	Warnes,
Doster,	Lambert,	Schaefer,	Welsh,
Ertel,	Leist,	Schweikert,	White,
Etling,	Lowry,	Scott,	Williams,
Fell,	McCormick,	Shanley,	Winans,
Foreman,	McGuffey,	Siebert,	Wintermute,
Freeman,	Mills,	Smith, of Butler,	Winters,
Fulton,	Morris,	Smith,	Woodworth,
Guthery,	Murphy,	of Morgan,	Young—98.
Hoaglin,	Nungesser,		

Messrs. Agler, Hunter, Jackson and King, of Franklin, voted in the negative.

The bill was passed.

And thereupon, by direction of the speaker, upon section 3, being the emergency section, the yeas and nays were taken, and resulted — yeas 82, nays 29, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kathe,	Robinson,
Appenzeller,	of Coshocton,	Kennedy,	Schaefer,
Barthelmeh,	Criswell,	Kessler,	Schweikert,
Beatty,	of Morrow,	King,	Shanley,
Behne,	Davis,	of Ashtabula,	Siebert,
Beyer,	Detrick,	Kramer,	Smith, of Butler,
Bishop,	Dickson,	Lambert,	Snyder,
Black,	Donaldson,	Leist,	of Hamilton,
of Hamilton,	Doster,	Lowry,	Snyder,
Black,	Ertel,	Lustig,	of Pickaway,
of Wyandot,	Etling,	McCormick,	Sweeney,
Boggs,	Fell,	McGuffey,	Thatcher,
Bonnell,	Fellinger,	Morris,	Thomas,
Bour,	Foreman,	Mueller,	Venus,
Brennan,	Fulton,	Murphy,	Vollmer,
Cameron,	Guthery,	Nungesser,	vonder Heide,
Carroll,	Hite,	Nye,	Walsh,
Chapman,	Hoaglin,	Orlikowski,	Warnes,
Clark,	Hoffman,	Orrison,	Welsh,
Colter,	Holl,	Quinlisk,	Winans,
Cowan,	Horwitz,	Reppert,	Wintermute,
Crawford,	Hunter,	Rhulman,	Winters,
			Mr. Speaker—82.

Those who voted in the negative were: Messrs.

Agler,	Diser,	Mills,	Smith,
Anderson,	Freeman,	Pence,	of Morgan,
Brown,	Hoover,	Plank,	Terrell,
of Union,	Jackson,	Plumb,	Tetlow,
Capelle,	Kemerer,	Reid, of Fayette,	White,
Conover,	Kilpatrick,	Reighard,	Williams,
Cooper,	King,	Reynolds,	Woodworth,
Deaton,	of Franklin,	Scott,	Young—29.

The emergency section was adopted.

The title of the bill was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 49 — Mr. Kramer.

To amend section 15 of the General Code, relating to members of the General Assembly.

With the following amendments, in which the concurrence of the House of Representatives is requested:

In line 12 strike out semi-colon and in lieu thereof insert a comma.

Strike out lines 14a to 14e inclusive.

In line 4 after the word "assembly" insert the following words, "except in compliance with the provisions of this act."

Attest:

W. V. GOSHORN,

Clerk.

The question was, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken, and resulted — yeas 79, nays 22, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Detrick,	Lambert,	Shanley,
Anderson,	Dickson,	Leist,	Siebert,
Appenzeller,	Donaldson,	Lowry,	Smith, of Butler,
Beatty,	Duffey,	Lustig,	Smith,
Behne,	Ertel,	McCormick,	of Morgan,
Beyer,	Ettling,	McGuffey,	Snyder,
Bishop,	Fell,	Mueller,	of Hamilton,
Bonnell,	Fellinger,	Murphy,	Snyder,
Bour,	Foreman,	Nungesser,	of Pickaway,
Brennan,	Fulton,	Nye,	Sweeney,
Brown,	Guthery,	Orlikowski,	Tetlow,
of Union,	Hite,	Orrison,	Thomas,
Cameron,	Hoaglin,	Pence,	Venus,
Carroll,	Hoffman,	Plumb,	vonder Heide,
Chapman,	Hoover,	Reid, of Fayette,	Walsh,
Colter,	Hunter,	Reighard,	Warnes,
Conover,	Jackson,	Reppert,	Welsh,
Criswell,	Kathe,	Rhulman,	White,
of Coshocton,	Kemerer,	Schaefer,	Wintermute,
Criswell,	Kessler,	Schweikert,	Winters,
of Morrow,	King,	Scott,	Woodworth—79.
Davis,	of Ashtabula,		

Those who voted in the negative were: Messrs.

Black,	Diser,	Morris,	Thatcher,
of Wyandot,	Doster,	Plank,	Vollmer,
Boggs,	Freeman,	Quinlisk,	Williams,
Clark,	Horwitz,	Reynolds,	Winans,
Cooper,	Kramer,	Robinson,	Young—22.
Deaton,	Mills,	Terrell,	

The Senate amendments were concurred in.

Mr. King, of Ashtabula, offered **H. J. R. No. 13**. Relative to enrolling **H. B. No. 55** in typewriting.

Mr. King, of Ashtabula, moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 84, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Cooper,	Kramer,	Schweikert,
Anderson,	Cowan,	Lambert,	Scott,
Appenzeller,	Davis,	Leist,	Shanley,
Barthelmeh,	Deaton,	Lowry,	Siebert,
Behge,	Dickson,	Lustig,	Smith, of Butler,
Beyer,	Donaldson,	McCormick,	Smith,
Bishop,	Doster,	McGuffey,	of Morgan,
Black,	Duffey,	Morris,	Snyder,
of Hamilton,	Ertel,	Mueller,	of Hamilton,
Black,	Fell,	Murphy,	Sweeney,
of Wyandot,	Foreman,	Nungesser,	Terrell,
Boggs,	Hoaglin,	Orrison,	Tetlow,
Bonnell,	Hoffman,	Pence,	Thatcher,
Bour,	Hoover,	Plank,	vonder Heide,
Brennan,	Hunter,	Plumb,	Warnes,
Brown, of Union,	Jackson,	Quinlisk,	White,
Cameron,	Kemerer,	Reid, of Fayette,	Williams,
Capelle,	Kennedy,	Reighard,	Winans,
Carroll,	Kessler,	Reppert,	Wintermute,
Chapman,	King,	Reynolds,	Winters,
Clark,	of Ashtabula,	Rhulman,	Woodworth,
Colter,	King, of Franklin,	Schaefer,	Young—84.
Conover,			

The resolution was adopted.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in House amendments to **S. B. No. 10** — Mr. Cunningham.

Attest:

W. V. GOSHORN,
Clerk.

The speaker handed down the following communication:

To the Honorable Chas. L. Swain, Speaker, and Members of the House of Representatives of the 80th General Assembly. *Greeting:*

By the tender mercies and goodness of a kind Providence, we are about to enter upon a convalescence from a serious illness.

It is fitting at this time, when you are about to close your deliberations, that I should convey to you the deep sentiments of gratitude that pervade my heart, and recall the substantial tokens of remembrance, and the warm expressions of friendship and sympathy received at your hands from time to time.

May peace, prosperity and happiness be the blessings vouchsafed to each and every one of you, is the earnest hope of your colleague,

M. J. JENKINS,
Madison County.

On motion of Mr. Lowry, the House recessed until 1:30 o'clock P. M.

1:30 o'clock P. M.

The House met pursuant to recess.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 55 — Mr. King.

With the following amendment, in which the concurrence of the House of Representatives is requested:

In line 6 after the word "shall", insert "before the first day of March, 1914, and thereafter".

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendment be concurred in?"

The yeas and nays were taken, and resulted—yeas 77, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Davis,	Lambert,	Shanley,
Agler,	Deaton,	Leist,	Smith, of Butler,
Beatty,	Detrick,	Lowry,	Smith,
Behne,	Diser,	Lustig,	of Morgan,
Beyer,	Donaldson,	McCormick,	Sweeney,
Bishop,	Doster,	Mills,	Tetlow,
Black,	Duffey,	Morris,	Thatcher,
of Hamilton,	Ertel,	Mueller,	Thomas,
Black,	Etling,	Murphy,	Venus,
of Wyandot,	Foreman,	Nungesser,	Vollmer,
Bour,	Freeman,	Nye,	Walsh,
Brennan,	Hite,	Plank,	Warnes,
Brown, of Union,	Hoaglin,	Plumb,	Welsh,
Cameron,	Hoffman,	Quinlisk,	White,
Carroll,	Holl,	Reighard,	Williams,
Chapman,	Hoover,	Reynolds,	Winans,
Colter,	Horwitz,	Robinson,	Wintermute,
Conover,	Kathe,	Schaefer,	Winters,
Cooper,	Kemerer,	Schweikert,	Woodworth,
Criswell,	King,	Scott,	Young—77.
of Morrow,	of Ashtabula,		

Mr. Terrell voted in the negative.

The Senate amendment was concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 54 — Mr. Cowan.

To make appropriations to pay unauthorized deficiencies and liabilities existing prior to February 15, 1914.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Carroll submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills and joint resolutions:

H. B. No. 11 — Mr. Mills.

To amend section 3937 of the General Code to provide for the sale of bonds in small denominations issued by municipalities.

H. B. No. 50 — Mr. Etling.

To amend sections 5584, 5590 and 5624-4 of the General Code (103 O. L. pages 788, 790 and 799), relating to the assessment of property for taxation.

H. B. No. 51 — Mr. Reid.

To amend section 5649-1 of the General Code and to supplement the same by the enactment of supplementary section to be known as 5649-1a, relating to levies for sinking fund and interest purposes.

H. B. No. 52 — Mr. Duffey.

To amend sections 2252 and 2253 of the General Code (as contained in the Act entitled "An Act to amend certain sections of the General Code, relative to, et al.," 103 O. L. page 405, at pages 418 and 419) providing for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts", and to enact new sections to be known as sections 2252-1 and 2252-2.

H. B. No. 47 — Mr. Cowan.

To make general appropriations and to repeal House Bill No. 670 approved May 9, 1912, (103 O. L. 627) entitled an act "To make general appropriations".

H. B. No. 49 — Mr. Kramer.

To amend section 15 of the General Code, relating to members of the General Assembly.

H. B. No. 54 — Mr. Cowan.

To make appropriations to pay unauthorized deficiencies and liabilities existing prior to February 15, 1914.

H. B. No. 55 — Mr. King, of Ashtabula.

To amend sections 6294, 6301 and 12613 of the General Code, relating to motor vehicles, and to subdivide section 6301 into section 6301 and section 6302.

JNO. L. McDERMOTT,
M. A. BROADSTONE,
WM. GREEN,
FRANK W. THOMAS,

EARL E. ERTEL,
W. D. FULTON,
JAS. T. CARROLL.

The speaker of the House, in the presence of the House, signed said bills.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following bill:

H. B. No. 53 — Mr. Cowan.

With the following amendments, in which the concurrence of the House of Representatives is requested:

Strike out lines 18, 19 and 20. Also lines 21 to 30 inclusive.

After line 125 insert line 125a.

"Marie Thompson in full settlement of all claims for the death of her husband, LeRoy Thompson, while on strike duty as private in Co. F, 8th Regiment, Ohio National Guard, said death occurring February 24th, 1913, at Akron, Ohio, as a result of exposure while on duty in the armory of the company during the strike of rubber workers at Akron.

..... \$2,500 00
"It is hereby provided that before award on the treasury is drawn by the auditor of state, a trustee shall be appointed by the probate court

of the county in which the said Marie Thompson is residing, and that the said trustee is hereby authorized to invest the said \$2,500 for the benefit of the said Marie Thompson during her natural life; that at her death said investment shall go to the heir of the body of the said LeRoy Thompson; that in the event of the death of said heir before that of the said Marie Thompson, its mother, said property shall revert to and become the property of the said State of Ohio."

In line 131 change the numerals "500" to "250".

After line 151 insert line 152,

To the McKinley Memorial Association of Niles, Ohio, the sum to be used in the aid of the construction of a memorial to be erected at the birthplace of Wm.

McKinley \$5000 00

After line 191 insert the following:

191a, To Jacob Pfeiffer for counsel fee, expended by him in litigation resulting in the establishment of the property and water rights of the State at a certain dam in the Hocking River near Logan, Hocking County, Ohio, known as the Falls or right dam and certain land adjoining thereto \$1,738 00

Following line 244 insert the following:

"244a, To pay the witness fee and mileage of John Theodore Kirken-dall, a witness in the matter of the hearing on a claim filed by C. C. Bel-lows for damage on account of an overflow of the Columbus Feeder, \$5 50

Follow line 247 with the following:

247a, For the payment of sundry witness fees and expenses in the matter of the claim of Wm. Whitten et al. vs. the State of Ohio, the same heard before a commission in Pickaway County, Ohio, \$45.40

Attest:

W. V. GOSHORN,
Clerk

The question was, " Shall the Senate amendments be concurred in?"
The yeas and nays were taken, and resulted—yeas 3, nays 75, as follows:

Those who voted in the affirmative were: Messrs. Acker, Nungesser and Terrell.

Those who voted in the negative were: Messrs.

Barthelmeh,	Diser,	Lambert,	Schaefer,
Beatty,	Donaldson,	Leist,	Scott,
Behne,	Doster,	Lowry,	Shanley,
Beyer,	Fellinger,	Lustig,	Smith, of Butler,
Bishop,	Foreman,	McCormick,	Smith,
Black,	Freeman,	McGuffey,	of Morgan,
of Hamilton,	Guthery,	Mills,	Sweeney,
Bour,	Hite,	Morris,	Thatcher,
Brennan,	Hoaglin,	Mueller,	Thomas,
Cameron,	Hoffman,	Murphy,	Venus,
Chapman,	Holl,	Nye,	Vollmer,
Colter,	Hoover,	Orrison,	vonder Heide,
Conover,	Horwitz,	Pence,	Warnes,
Cowan,	Jackson,	Plank,	Welsh,
Criswell,	Kathe,	Plumb,	White,
of Morrow,	Kessler,	Quinlisk,	Williams,
Davis,	King,	Reppert,	Winans,
Deaton,	of Ashtabula,	Reynolds,	Wintermute,
Dickson,	King, of Franklin,	Rhulman,	Woodworth—75.
	Kramer,	Robinson,	

The Senate amendments were not concurred in.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate insists on its amendments to **H. B. No. 53** — Mr. Cowan, and asks for a committee of conference.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Cowan moved that the House accede to the request of the Senate and that a committee of conference be appointed.

The motion was agreed to and the speaker appointed as managers on the part of the House, Messrs. Cowan, Colter and Fellingner.

Mr. Doster offered **H. R. No. 19**.

Resolved, That the custodian of the hall of the House is hereby authorized and instructed to cause the contents of the desks of the members to be shipped to them after the adjournment of the present session. Authority is hereby also given for the payment of the express charges on such shipment.

Mr. Cowan moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 65, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Lambert,	Shanley,
Appenzeller,	of Morrow,	Leist,	Smith, of Butler,
Barthelmeh,	Detrick,	Lowry,	Snyder,
Beatty,	Dickson,	Mills,	of Hamilton,
Behne,	Doster,	Morris,	Terrell,
Beyer,	Ertel,	Mueller,	Tetlow,
Black,	Etling,	Murphy,	Thatcher,
of Hamilton,	Foreman,	Nungesser,	Thomas,
Black,	Freeman,	Nye,	Venus,
of Wyandot,	Guthery,	Orrison,	Vollmer,
Bonnell,	Hoffman,	Pence,	vonder Heide,
Bour,	Holl,	Quinlisk,	Walsh,
Cameron,	Horwitz,	Rhulman,	Warnes,
Carroll,	Jackson,	Robinson,	Welsh,
Chapman,	Kathe,	Schaefer,	Wintermute,
Conover,	King,	Schweikert,	Woodworth,
Cowan,	of Ashtabula,	Scott,	Young—65.
Criswell,	Kramer,		
of Coshocton,			

Mr. Stivers voted in the negative.

The resolution was adopted.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the adoption of the following joint resolution:

H. J. R. No. 13 — Mr. King, of Ashtabula.

Attest:

W. V. GOSHORN,
Clerk.

Mr. Lowry offered **H. J. R. No. 14.**

Relative to adjournment.

Mr. Lowry moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 73, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	Kennedy,	Schaefer,
Barthelmeh,	of Coshocton,	King,	Siebert,
Beatty,	Criswell,	of Ashtabula,	Smith, of Butler,
Behne,	of Morrow,	Kramer,	Smith,
Beyer,	Deaton,	Lambert,	of Morgan,
Bishop,	Dickson,	Lowry,	Snyder,
Black,	Diser,	Lustig,	of Hamilton,
of Hamilton,	Doster,	McCormick,	Terrell,
Black,	Ertel,	McGuffey,	Thatcher,
of Wyandot,	Etling,	Mills,	Thomas,
Boggs,	Fell,	Morris,	Venus,
Bour,	Foreman,	Mueller,	Vollmer,
Brennan,	Freeman,	Murphy,	vonder Heide,
Brown, of Union,	Guthery,	Nungesser,	Walsh,
Cameron,	Hite,	Orlikowski,	Warnes,
Carroll,	Hoaglin,	Orrison,	Welsh,
Chapman,	Hoffman,	Pence,	Williams,
Colter,	Horwitz,	Plumb,	Wintermute,
Conover,	Hunter,	Reighard,	Winters,
	Kathe,	Rhulman,	Woodworth,
			Young—73.

The resolution was adopted.

Mr. Cowan submitted the following report:

The committee of Conference, to which were referred the matters of difference between the two houses on **H. B. No. 53**—Mr. Cowan, having had the same under consideration does recommend to the respective houses as follows:

That the bill as passed by the House of Representatives be concurred in, with the following amendments:

Strike out lines 18, 19 and 20.

In line 22, strike out "fifteen hundred dollars" and insert in lieu thereof "twelve hundred dollars."

In line 30, strike out the numerals "7500" and insert in lieu thereof the numerals "6,000.00".

After line 125 insert line 125a.

"Marie Thompson in full settlement of all claims for the death of her husband, LeRoy Thompson, while on strike duty as private in Company F. 8th Regiment, Ohio National Guard, said death occurring February 24th, 1913, at Akron, Ohio, as a result of exposure while on duty in the armory of the company during the strike of rubber workers at Akron. \$2,500 00

"It is hereby provided that before a warrant on the treasury is drawn by the auditor of state, a trustee shall be appointed by the probate court of the county in which the said Marie Thompson is residing, and that the said trustee is hereby authorized to invest the said \$2,500.00 in real estate for the benefit of the said Marie Thompson during her natural life; that

at her death said real estate shall go and pass in fee to the heir, or heirs, of the body of LeRoy Thompson."

In line 131 change the numerals "500" to "250".

After line 151 insert line 152. "To the McKinley Memorial Association of Niles, Ohio, the sum to be used in the aid of the construction of a memorial to be erected at the birthplace of Wm. McKinley, \$5,000.00."

After line 155 insert: "155-a. For addition to library. \$11,300.00."

After line 191, insert the following line 191-a "To Jacob Pfeiffer, for counsel fees expended by him in litigation resulting in the establishment of the property and water rights of the State at a certain dam in the Hocking River near Logan, Hocking County, Ohio, known as "The Falls" or "Wright Dam," and certain land adjoining thereto.....\$1,738.00".

Following line 244 insert the following: "244a. To pay the witness fee and mileage of John Theodore Kirkendall, a witness in the matter of the hearing on a claim filed by C. C. Bellows for damage on account of an overflow of the Columbus Feeder..... \$5.50."

Follow line 247 with the following: "247a. For the payment of sundry witness fees and expenses in the matter of the claim of Wm. Whitten et al. vs. The State of Ohio, the same heard before a Commission in Pickaway County, Ohio, \$45.40."

JOHN COWAN,
H. FELLINGER,
R. R. REYNOLDS.

Managers on the part of the House of Representatives.

M. A. BROADSTONE.
J. I. HUDSON,

Managers on the part of the Senate.

The question was, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken, and resulted — yeas 75, nays 1, as follows:

Those who voted in the affirmative were: Messrs.

Acker,	Criswell,	King, of Franklin,	Schweikert,
Barthelmeh,	of Coshocton,	Kramer,	Scott,
Beatty,	Criswell,	Lambert,	Shanley,
Behne,	of Morrow,	Lowry,	Siebert,
Beyer,	Dickson,	Lustig,	Smith, of Butler,
Bishop,	Donaldson,	McCormick,	Smith,
Black,	Doster,	McGuffey,	of Morgan,
of Hamilton,	Ertel,	Mills,	Snyder,
Black,	Etlng,	Morris,	of Hamilton,
of Wyandot,	Fell,	Mueller,	Snyder,
Boggs,	Fellinger,	Murphy,	of Pickaway,
Bour,	Foreman,	Nungesser,	Terrell,
Brennan,	Guthery,	Nye,	Thomas,
Brown, of Union,	Hite,	Orlikowski,	Venus,
Cameron,	Hoaglin,	Orrison,	Vollmer,
Carroll,	Horwitz,	Pence,	vonder Heide,
Chapman,	Hunter,	Plumb,	Warnes,
Colter,	Kathe,	Quinlisk,	Wintermute,
Conover,	Kemerer,	Reynolds,	Winters,
Cowan,	King,	Rhulman,	Woodworth,
	of Ashtabula,	Schaefer,	Young—75.

Mr. Freeman voted in the negative.

The report of the committee of Conference on **H. B. No. 53** was agreed to.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the president of the Senate on the part of the Senate has appointed on committee of Conference on the difference between the two Houses on **H. B. No. 53**—Mr. Cowan; Messrs. Hudson, Seward and Broadstone.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

The Senate has agreed to the report of the committee of Conference on matters of difference between the two houses on **H. B. No. 53**—Mr. Cowan.

Attest:

W. V. GOSHORN,
Clerk.

The following message was received from the Senate:

Mr. Speaker:

I am directed to inform you that the Senate has concurred in the passage of the following: **H. J. R. No. 14**—Mr. Lowry.

With the following amendment, in which the concurrence of the House of Representatives is requested:

In line 3 change the numerals "17" — to "16".

Attest:

W. V. GOSHORN,
Clerk.

The question was, "Shall the Senate amendment be concurred in?"

The yeas and nays were taken, and resulted — yeas 66, nays none, as follows:

Those who voted in the affirmative were: Messrs.

Barthelmeh,	Criswell,	Lustig,	Smith, of Butler,
Beatty,	of Morrow,	McCormick,	Smith,
Behne,	Deaton,	Mills,	of Morgan,
Beyer,	Dickson,	Morris,	Snyder,
Bishop,	Donaldson,	Mueller,	of Hamilton,
Black,	Doster,	Murphy,	Snyder,
of Wyandot,	Etling,	Nye,	of Pickaway,
Boggs,	Fellinger,	Orlikowski,	Sweeney,
Bour,	Foreman,	Orrison,	Terrell,
Brennan,	Guthery,	Plumb,	Thomas,
Brown, of Union,	Hite,	Quinlisk,	Venus,
Cameron,	Hoaglin,	Reighard,	Vollmer,
Carroll,	Hoover,	Reynolds,	vonder Heide,
Chapman,	Horwitz,	Schaefer,	Warnes,
Colter,	Kathe,	Schweikert,	Welsh,
Cowan,	Kemerer,	Scott,	Williams,
Criswell,	Kennedy,	Shanley,	Wintermute,
of Coshocton,	Lowry,	Siebert,	Winters—66.

The Senate amendment was concurred in.

Mr. Carroll submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills and joint resolutions:

H. B. No. 53 — Mr. Cowan.

To make sundry appropriations.

S. B. No. 2 — Mr. Friebolin.

To amend section 1532 of the General Code, providing for the election of common pleas judges in the several counties of the state.

S. B. No. 30 — Mr. Dollison.

To supplement section 3209, General Code, by enacting section 3209-1, to authorize the leasing of gas, oil and other minerals on unsold portions of sections sixteen and twenty-nine.

S. B. No. 29 — Mr. Cahill.

To amend section 5649-3b of the General Code, as amended April 16, 1913, providing for the time of meeting of county budget commissions.

S. B. No. 21 — Mr. Gregory.

To amend sections 4227-1, 4227-2, and 4227-5 of the General Code, to repeal sections 3772, 3773 and 3774 and to add sections 4227-6 to 4227-13 inclusive relative to further safeguarding initiative and referendum petitions in municipalities.

S. B. No. 10 — Mr. Cunningham.

To amend sections 352, 354, 355, 356, 357, 358, 359, 360, 361, 362, 364, 7631, 7641, 7645, 7646, 7656, 7660, 7661, 7668, 7669, 7672, 7673, 7675, 7679, 7709, 7710, 7711, 7718, 7727, 7752, 7756, 7761, 7763, 7769, 7771, 7772, 7773, 7784, 7786, 7787, 7788, 7789, 7790, 7792, 7793, 7799, 7803, 7804, 7874, 9923, 12903, and 12909, to add supplementary sections 352-1 and 353-1, and to repeal sections 7588, 7589, 7590, 7665, 7717, 7719, 7732, 7741, 7863, 7864, 4693, 4694, 4695, and 4697 of the General Code, relating to the office and duties of the superintendent of public instruction.

S. J. R. No. 1 — Mr. Green.

Appointing a committee of three on part of Senate and five on part of House to wait upon the Governor.

S. J. R. No. 2 — Mr. Weygandt.

Relative to recess of the General Assembly to listen to an address by Senator Pomerene.

S. J. R. No. 6 — Mr. Weygandt.

Appointing a committee to arrange for a legislative reunion.

H. J. R. No. 13 — Mr. King, of Ashtabula.

Relative to enrolling H. B. No. 55 in typewriting.

H. J. R. No. 14 — Mr. Lowry.

Relative to adjournment.

JNO. L. McDERMOTT,
J. E. HOLDEN,
VINCENT ZMUNT,
EARL E. ERTEL,

JAS. T. CARROLL,
W. D. FULTON,
FRANK W. THOMAS,
E. C. WOODWORTH.

The speaker of the House, in the presence of the House, signed said bills and joint resolutions.

Mr. Bishop offered **H. R. No. 20**.

Resolved, That for the purpose of completing the work of the House of Representatives under the direction of the clerk, the services of H. L. Greenbaum, Charles Beck, H. L. Rebrassier, C. J. McNamee, Paul Spaeth, Harold Sites, James B. Lewis, R. A. Chamberlain, D. B. Mc-

Cormic and William Conway, are continued for a period of five days after the date of final adjournment, and all other employees of the House.

For such services, such employees so retained shall receive the same rate of pay as each was entitled to receive during the session, to be paid on vouchers drawn on the fund set apart for the payment of salaries and mileage of members and per diem of clerks and other employees.

Mr. Bishop moved that the rule requiring resolutions to lie over one day before consideration be suspended and the resolution be considered at once.

The motion was agreed to and the resolution was taken up.

The question was, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted — yeas 64, nays 2, as follows:

Those who voted in the affirmative were: Messrs.

Barthelmeh,	Cowan,	Kathe,	Shanley,
Beatty,	Criswell,	Kennedy,	Siebert,
Behne,	of Coshocton,	Lowry,	Smith, of Butler,
Beyer,	Criswell,	Lustig,	Snyder,
Bishop,	of Morrow,	McGuffey,	of Hamilton,
Black,	Deaton,	Mueller,	Sweeney,
of Hamilton,	Dickson,	Murphy,	Thomas,
Black,	Donaldson,	Nye,	Venus,
of Wyandot,	Etling,	Orlikowski,	Vollmer,
Bour,	Fell,	Orrison,	vonder Heide,
Brennan,	Foreman,	Plumb,	Walsh,
Brown, of Union,	Guthery,	Quinlisk,	Warnes,
Cameron,	Hite,	Reighard,	Welsh,
Carroll,	Hoaglin,	Reynolds,	Williams,
Chapman,	Horwitz,	Schaefer,	Wintermute,
Clark,	Hunter,	Schweikert,	Winters,
Colter,	Jackson,	Scott,	Woodworth—64.
Conover,			

Messrs. Morris and Smith, of Morgan, voted in the negative.

The resolution was adopted.

The journal of the day was read and approved.

On motion of Mr. Lowry, the House adjourned sine die, according to the provisions of **H. J. R. No. 14.**

Attest:

JOHN R. CASSIDY,
Clerk.

APPENDIX

TO THE

JOURNAL OF THE HOUSE OF REPRESENTATIVES

OF THE

EIGHTIETH GENERAL ASSEMBLY OF THE STATE OF OHIO

EXTRAORDINARY SESSION

COMMENCING
MONDAY, JANUARY 19, 1914

CONTENTS.

	PAGE
Officers of the House.....	265
Names and addresses of members.....	266
Employees	268
Newspaper correspondents	269
Standing committee lists.....	270
Committee assignments of members.....	275
Testimony taken by Committee appointed under H. R. No. 8.....	289
Report of Committee.....	341

OFFICERS OF THE HOUSE OF REPRESENTATIVES.

Position.	Name.	Residence.
Speaker	Charles L. Swain.....	Cincinnati, Ohio.
Speaker pro tempore.....	J. H. Lowry.....	Napoleon, Ohio.
Clerk	John R. Cassidy.....	Bellefontaine, Ohio.
Assistant Clerk	E. A. Grabiel.....	Oxford, Ohio.
Journal Clerk	Charles H. Beck.....	Logan, Ohio.
Assistant Journal Clerk.....	H. L. Greenbaum.....	Chillicothe, Ohio.
Message Clerk	Harold D. Sites.....	Ashland, Ohio.
Engrossing Clerk	H. I. Rebrassier.....	Louisville, Ohio.
Enrolling Clerk	C. J. McNamee.....	Cleveland, Ohio.
Recording Clerk	Julia E. Kersting.....	Ottawa, Ohio.
Index Clerk	William Conway	Cincinnati, Ohio.
Bill Clerk	James B. Lewis.....	Rocky River, Ohio.
Assistant Bill Clerk.....	Ray Chamberlain	Bowling Green, Ohio.
Sergeant-at-arms	W. L. Melching.....	Wapakoneta, Ohio.
First Assistant Sergeant-at-arms.....	William C. Ries.....	Kenton, Ohio.
Second Assistant Sergeant-at-arms.....	John D. Schnapp.....	Cleveland, Ohio.
Third Assistant Sergeant-at-arms.....	Thurman Thompson	Columbus, Ohio.

MEMBERS OF THE HOUSE OF REPRESENTATIVES.

County.	Name.	Pol.	P. O. Address.	Profession or Occupation.
Adams	J. R. B. Kessler	D	Peebles	Attorney.
Allen	R. R. Kennedy (1)	D	Spencerville	Attorney.
Ashland	W. M. Brown	D	Ashland	Farmer.
Ashtabula	W. S. King	D	Ashtabula	Physician.
Athens	E. C. Woodworth (1)	R	Athens	Editor.
Auglaize	Geo. W. Holl	D	New Knoxville	Manufacturer.
Belmont	E. N. Boggs (1)	D	Barton	Merchant.
Belmont	James A. Freeman	R	Martins Ferry	Contractor.
Brown	E. B. Stivers (10)	D	Sardinia	Farmer and Lawyer.
Butler	Culbertson J. Smith (1)	D	Hamilton	Lawyer.
Carroll	Harry R. Kemerer	R	Carrollton	Publisher.
Champaign	Chas. D. Conover	R	Urbana	Farmer.
Clark	W. O. Jackson	R	Springfield	Locomotive Eng'n'r.
Clermont	Earl E. Ertel	D	Loveland	Broker.
Clinton	Oliver J. Thatcher	R	Wilmington	Teacher.
Columbiana	Percy Tetlow (2)	R	Washingtonville	Miner.
Columbiana	Chas. A. White	R	Lisbon	Carpenter.
Coshocton	D. M. Criswell	D	Plainfield	Physician.
Crawford	M. G. Nungesser	D	Galion	Farmer and Teacher.
Cuyahoga	Lawrence Brennan (1)	D	Cleveland	Retired.
Cuyahoga	Geo. F. Doster	D	Cleveland	Contractor and Builder.
Cuyahoga	Herman Fellingner (1)	D	E. Cleveland	Mgr. Insurance Co.
Cuyahoga	Frank J. Kilrain	D	Cleveland	Attorney.
Cuyahoga	Jos. Lustig	D	Cleveland	Attorney.
Cuyahoga	Don P. Mills	D	Cleveland	Attorney.
Cuyahoga	Bernard Orlikowski	D	Cleveland	Paving Contractor.
Cuyahoga	Henry L. Schaefer	D	Cleveland	Insurance.
Cuyahoga	Martin L. Sweeney	D	Cleveland	Clerk.
Cuyahoga	Virgil J. Terrell	D	Cleveland	Attorney.
Cuyahoga	Harri J. Volmer	D	Cleveland	Machinist.
Cuyahoga	Michael J. Walsh	D	So. Newburg	Farmer.
Cuyahoga	Stephen M. Young	D	Cleveland	Attorney.
Darke	C. Appenzeller, Jr.	D	Greenville	Farmer and Contr.
Defiance	Robt. B. Cameron	R	Jewell	Physician.
Delaware	G. M. Plumb	D	Galena	Teacher.
Eric	Cyrus P. Winters (6)	D	Sandusky	Attorney.
Fairfield	Geo. M. Morris	D	Lancaster	Supt. Schools.
Fayette	C. A. Reid (1)	R	Washington C. H.	Attorney.
Franklin	James T. Carroll	D	Columbus	Publisher.
Franklin	Louis R. Siebert	D	Columbus	Cigar Maker.
Franklin	Chas. A. Orrison	D	Hilliard	Automobile Dept.
Franklin	John R. King	R	Columbus	Attorney.
Franklin	Richard R. Reynolds (7)	R	Columbus	Carpenter.
Fulton	Frank H. Reighard	R	Wauseon	Retired.
Gallia	Chas. H. McCormick (1)	R	McCormick	Farmer.
Geauga	W. R. Davis	Prog.	Chardon	Attorney.
Greene	S. C. Anderson	R	Xenia	Farmer.
Guernsey	T. A. Bonnell (1)	R	Cambridge	Attorney.
Hamilton	Wm. G. Beatty (1)	D	Cincinnati	Whole. Cigar Bus.
Hamilton	Herbert S. Bigelow (2)	D	Cincinnati, Mt. Wash- ington	Minister.
Hamilton	Robert Black	D	Cincinnati	Attorney.
Hamilton	J. R. Clark	D	Cincinnati	Attorney.
Hamilton	W. H. Schweikert	D	Cincinnati	Attorney.
Hamilton	John C. Hoffman (2)	D	Cincinnati	Solicitor.
Hamilton	Frank H. Reppert	D	Silverton	Attorney.
Hamilton	Thornton R. Snyder	D	Cincinnati	Attorney.
Hamilton	Chas. L. Swain (8)	D	Hartwell	Attorney.
Hamilton	Louis H. Capelle	R	Cincinnati	Attorney.
Hancock	Andrew A. Bever (2)	D	Arlington	Farmer.
Hardin	Wm. C. McGuffey	D	McGuffey	Farmer.
Harrison	L. H. Scott (4)	R	Cadiz	Retired.
Henry	I. H. Lowry (4)	D	Napoleon	Farmer.
Highland	G. G. O. Pence	R	Hillsboro	Farmer.
Hocking	W. H. Acker	D	Logan	Printer.
Holmes	M. A. Warnes (1)	D	Millersburg	Farmer.
Huron	C. P. Venus	D	Norwalk	Insurance.
Jackson	Frank P. Lambert (2)	D	Wellston	Carpenter.
Jefferson	John F. Gilson (5)	R	Irondale	School Teacher.
Knox	N. H. Hunter	D	Buckeye City	Grain Merchant.
Lake	J. V. Winans (1)	R	Madison	Physician.
Lawrence	Alfred Robinson (9)	R	Ironton	Druggist.
Licking	W. D. Fulton (1)	D	Newark	Attorney.
Logan	Guy Detrick	D	Bellefontaine	Teacher.
Lorain	S. H. Williams (1)	R	Lorain	Attorney.
Lucas	Warren J. Duffey	D	Toledo	Attorney.

MEMBERS OF THE HOUSE OF REPRESENTATIVES—Concluded.

County.	Name.	Pol.	P. O. Address.	Profession or Occupation.
Lucas	W. T. Colter (1).....	Prog.	Toledo	Locomotive Engr.
Lucas	James Nye	Prog.	Toledo	Attorney.
Madison	M. J. Jenkins (1).....	R	Plain City.....	Physician.
Mahoning	John G. Cooper (1).....	R	Youngstown	Locomotive Engr.
Mahoning	Oscar E. Diser.....	R	Youngstown	Attorney.
Marion	Isaac S. Guthery.....	D	Larue	Farmer.
Medina	F. M. Plank (1).....	R	Medina	Merchant.
Meigs	Louis Horwitz (1).....	D	Pomeroy	Merchant.
Mercer	G. J. C. Wintermute.....	D	Celina	Physician.
Miami	Van S. Deaton (10).....	R	Alcony	Physician.
Monroe	G. S. Crawford.....	D	Graysville	Farmer.
Montgomery	O. B. Chapman.....	D	Dayton, R. F. D. 4....	Decorator.
Montgomery	E. R. Mueller.....	D	Dayton	Attorney.
Montgomery	V. J. Vonderheide.....	D	Dayton	Attorney.
Morgan	Chas. B. Smith.....	R	Malta	Hardware Dealer.
Morrow	J. Chas. Criswell.....	D	Mt. Gilead.....	Farmer.
Muskingum	Frank B. Fell.....	D	Zanesville	Merchant.
Noble	Homer L. Hastings.....	R	Caldwell	Contractor.
Ottawa	Smith L. Welsh (1).....	D	Oak Harbor.....	Traveling Salesman.
Paulding	Geo. M. Hoaglin.....	D	Payne	Professor.
Perry	Wm. A. Hite.....	D	Thornville	Attorney.
Pickaway	Irvin F. Snyder.....	D	Circleville	Attorney.
Pike	Geo. Leist, Jr.....	D	Beaver	Hardware Merchant.
Portage	J. J. Shanley, Sr. (1).....	D	Kent, R. F. D.....	Telegraph Operator.
Preble	Wm. E. Murphy.....	D	Eaton, R. F. D. 9....	Farmer.
Putnam	John Cowan (1).....	D	Ottawa	Insurance Agent.
Richland	John F. Kramer (2).....	D	Mansfield	Attorney.
Ross	Bernard H. Kathe.....	D	Chillicothe, R. F. D....	Farmer.
Sandusky	H. N. Donaldson.....	D	Bellevue	Dentist.
Seneca	R. R. Bour (1).....	D	Tiffin	Accountant.
Shelby	Martin Quinlisk.....	D	Sidney	Farmer.
Stark	Walter G. Agler.....	R	Canton	Deputy Clk. Courts.
Summit	Ed. H. Bishop.....	D	Akron	Traveling Salesman.
Summit	A. Ross Read (2).....	D	Akron	Editor.
Trumbull	W. B. Kilpatrick (3).....	D	Warren	Attorney.
Tuscarawas	Fred Barthelmeh (1).....	D	Baltic	Insurance.
Union	Chas. D. Brown.....	R	Plain City, R. F. D....	Farmer.
Van Wert	Clark M. Foreman.....	D	Willshire	Insurance Agent.
Vinton	W. A. Rhulman.....	D	Hamden	Locomotive Engr.
Warren	T. E. Hoover.....	R	Lebanon	Farmer.
Washington	W. M. Dickson.....	D	Flints Mill.....	Physician.
Wayne	Alton H. Etling.....	D	Orrville	Supt. Schools.
Williams	William Behne (1).....	D	Bryan	Editor.
Wood	Frank W. Thomas (1).....	D	Bowling Green.....	Publisher.
Wyandot	Samuel J. Black.....	D	Upper Sandusky.....	Supt. Water Works.

- (1) Member House, 79th General Assembly.
- (2) Member Fourth Constitutional Convention.
- (3) Member House, 79th General Assembly and Fourth Constitutional Convention.
- (4) Member House, 78th and 79th General Assembly.
- (5) Member House, 78th General Assembly.
- (6) Member House, 77th, 78th and 79th General Assembly.
- (7) Member House, 76th, 77th, 78th and 79th General Assembly.
- (8) Member House, 73rd and 74th General Assembly.
- (9) Member House, 68th General Assembly.
- (10) Member House, 71st and 72nd General Assembly.
- (11) Member, House, 72nd and 73rd General Assembly, Member Senate, 74th General Assembly.

RECAPITULATION.

Democrats	House
Republicans	84
Progressives	33
	3
Total	120

HOUSE EMPLOYES.

STENOGRAPHERS.

Mary Turner.....	Butler Co.
Paul Spaeth.....	Clermont Co.
Minne Rodgers.....	Franklin Co.
Delia Carroll.....	Franklin Co.
Kathryn Ragan.....	Henry Co.
Maude Martin.....	Darke Co.
Rose Mary Burch.....	Van Wert Co.
Owen C. Wooley.....	Franklin Co.
Helen Turner.....	Hamilton Co.

CUSTODIANS OF CLOAK ROOM.

Elmer D. Feltus.....	Wyandot Co.
Frank Connaughton.....	Auglaize Co.

ASSISTANT POSTMASTER.

William F. Corcoran.....	Lucas Co.
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DOORKEEPERS.

Rudolph C. Wittenmeier.....	Franklin Co.
W. F. Brazier.....	Hamilton Co.
Henry Karting.....	Hamilton Co.
D. W. Schindler.....	Holmes Co.
Heath Vining.....	Mercer Co.

CUSTODIANS OF COMMITTEE ROOMS.

Leonard Cohen.....	Cuyahoga Co.
Fred Seeger.....	Franklin Co.
Mose Kahn.....	Butler Co.
Henry Fromme.....	Hamilton Co.
Alfred Jacobs.....	Clark Co.

PORTERS.

William H. Perry.....	Hamilton Co.
J. H. Roush.....	Meigs Co.
William Todd.....	Ohio.
D. B. McCormick.....	Wyandot Co.
Robert E. Roehm.....	Montgomery Co.
Jacob Lang.....	Franklin Co.

PAGES.

Edward Erwin.....	Franklin Co.
Alfred McCoy.....	Franklin Co.
John Quinlisk.....	Shelby Co.
Howard Morris.....	Franklin Co.
Lyman F. Eckenrode.....	Franklin Co.
Joseph Haley.....	Greene Co.
C. A. Reynolds.....	Ottawa Co.
Clarence C. Henry.....	Tuscarawas Co.

CUSTODIANS OF TELEPHONES.

T. B. Keville, Jr..... Allen Co. .
 J. P. Anderson..... Auglaize Co.

LEGISLATIVE PRESS ASSOCIATION.

JAMES W. FAULKNER, *Chairman*.
 ALFRED C. CROUSE, *Secretary*.

HOUSE CORRESPONDENTS.

Allen E. Beach..... Ohio State Journal.
 H. H. Daugherty..... Ohio State Journal.
 H. P. Brandon..... Ohio State Journal.
 J. H. Galbraith..... Columbus Dispatch.
 D. A. Donovan..... Columbus Dispatch.
 George T. Blake..... Columbus Dispatch.
 Earl Baird..... Columbus Citizen.
 E. W. Williams..... Columbus Citizen.
 John T. Bourke..... Cleveland Leader.
 Carl D. Ruth..... Cleveland Leader.
 A. E. McKee..... Cleveland Plain Dealer.
 C. E. Moore..... Cleveland Plain Dealer.
 James W. Faulkner..... Cincinnati Enquirer.
 H. R. Mengert..... Cincinnati Enquirer.
 Joseph Sullivan..... Cincinnati Times-Star.
 Alfred C. Crouse..... Cincinnati Post.
 Carroll McCray..... Toledo Blade.
 C. E. Gillette..... Associate Press.
 Joseph G. Faulkner..... Associate Press.
 Thos. A. Petty..... Associate Press.
 J. W. Marksberry..... Associate Press.
 L. H. Merrick..... United Press.
 C. C. Lyon..... Scripps-McRae League.
 Frank H. Ward..... Times-Star.
 Albert Burnet..... American Press Association.
 O. K. Shimansky..... American Press Association.
 A. V. Abernathy..... American Press Association.
 A. C. Sands..... New York Times.
 Ralph Henney..... New York Sun.
 C. B. Griffith..... New York Sun.
 Malcolm Jennings..... Marion Daily Star.
 W. E. Ashbolt, Jr..... Lorain Daily News.
 C. H. Haddox..... National News Association.
 J. A. Easton..... National News Association.

STANDING COMMITTEES OF THE HOUSE.

AGRICULTURE.

BROWN, Ashland, *Chairman*.

Guthery,	Snyder, of Hamilton,	Pence,
Nungesser,	Fell,	McCormick,
McGuffey,	Murphy,	White,
Hunter,	Kathe,	Plank,
Cameron,		Hoover.

APPROPRIATIONS AND FINANCE.

COWAN, *Chairman*.

Kennedy,	Morris,	Winans,
Fellinger,	Clark,	Jenkins,
Boggs,	Leist,	Bonnell,
Beyer,	Guthery,	Scott,
Donaldson,		Reynolds.

BANKS AND BANKING

KENNEDY, *Chairman*.

Holl,	Boggs,	Conover,
Doster,	Brown, of Ashland,	Reighard,
Clark,	Smith, of Butler,	Plank.
	Terrell,	

BENEVOLENT AND PENAL INSTITUTIONS.

CRISWELL, Coshocton, *Chairman*.

Morris,	Dickson,	Robinson,
Schweikert,	Smith, of Butler,	Brown, of Union,
Sweeney,	Cameron,	White,
Siebert,	Orlikowski,	Plumb,
Rhulman,		Thatcher.

CITIES.

BIGELOW, *Chairman*.

Mills,	Black, of Hamilton	Cooper,
Venus,	Carroll,	Colter,
Donaldson,	Orrison,	King, of Franklin.

CIVIL SERVICE.

BARTHELMEH, *Chairman*.

Leist,	Murphy,	Bonnell,
Shanley,	Cowan,	Woodworth.

CODES, COURTS AND PROCEDURE.

WINTERS, *Chairman*.

Terrell,	Clark,	Agler,
Duffey,	Kilrain,	Nye,
Stivers,	Schweikert,	King, of Franklin.
	Mueller,	

CONSERVATION OF NATURAL RESOURCES.

READ, Summit, *Chairman*.Beyer,
Crawford,
Chapman,Etling,
Behne,Davis,
Colter,
Tetlow.

CONSTITUTIONAL AMENDMENTS AND INITIATIVE AND REFERENDUM.

WARNES, *Chairman*.Doster,
Read, of Summit,
Bigelow,Mueller,
Bishop,
Behne,
Vollmer,Davis,
Scott,
Kemerer.

CORPORATIONS.

LUSTIG, *Chairman*.Venus,
Boggs,Doster,
Colter,Conover,
Capelle.

COUNTY AFFAIRS.

APPENZELLER, *Chairman*.Barthelmeh,
Stivers,
Schweikert,Crawford,
Leist,Reighard,
Colter,
Agler.

DAIRY AND FOOD PRODUCTS.

SCHAEFER, *Chairman*.Nungesser,
vonder Heide,Criswell, of Coshocton, Hastings,
Quinlisk,
Smith, of Morgan, Deaton.

ENROLLMENT.

CARROLL, *Chairman*.Kilrain,
Thomas,Ertel,
Fulton,Agler,
Woodworth.

FEDERAL RELATIONS

FULTON, *Chairman*.Mills,
Behne,
Welsh,
Black, of Wyandot,Dickson,
McGuffey,
Acker,
Holl,Clark,
Thatcher,
Jenkins,
Kemerer

FEES AND SALARIES.

THOMAS, *Chairman*.Beyer,
Orlikowski,
Cowan,Quinlisk,
Criswell, of Coshocton,Reighard,
Plank,
Freeman.

FISH AND GAME.

MUELLER, *Chairman.*Fell,
King, of Ashtabula,
Reppert,Lustig,
Lowry,Pence,
Jackson,
McCormick.

INSURANCE.

FELLINGER, *Chairman.*Venus,
Kennedy,
Foreman,
Beatty,Horwitz,
Holl,
Hite,
Kramer,Reid, of Fayette,
Smith, of Morgan,
Diser,
Nye.

JUDICIARY.

KILPATRICK, *Chairman.*Snyder, of Hamilton,
Kessler,
Kramer,
Smith, of Butler,Young,
Criswell, of Morrow,
Snyder, of Pickaway,
vonder Heide,Reid, of Fayette,
Williams,
Diser,
Tetlow.

LABOR.

CHAPMAN, *Chairman.*Vollmer,
Hoffman,
Lambert,Fell,
Brennan,
Thomas,
Kilpatrick,Robinson,
Tetlow,
Nye.

LIBRARY.

SMITH, Butler, *Chairman.*Winters,
Etling,Hite,
Snyder, of Hamilton,
Freeman,
Hastings.

LIQUOR TRAFFIC AND TEMPERANCE.

WELSH, *Chairman.*Chapman,
Snyder, of Pickaway,
Hunter,Sweeney,
Horwitz,
Barthelmeh,
Hoffman,Cooper,
Anderson,
Deaton.

MANUFACTURES AND COMMERCE.

TERRELL, *Chairman.*Siebert,
Duffey,
Orlikowski,Hunter,
Horwitz,Smith, of Morgan,
Jackson,
Scott.

MILITARY AFFAIRS.

SHANLEY, *Chairman.*Welsh,
Siebert,
Beatty,Kathe,
Stivers,Capelle,
Deaton,
Nye.

MINES AND MINING.

LAMBERT, *Chairman*.Hite,
Acker,
Bour,Rhulman,
Shanley,Tetlow,
Woodworth,
Freeman.

PHRASEOLOGY.

ETLING, *Chairman*.Lustig,
Criswell, of Morrow,Carroll,
Hoaglin,Thatcher,
Plumb.

PRISONS AND PRISON REFORM.

BLACK, Wyandot, *Chairman*.Kilrain,
Foreman,Quinlisk,
Bishop,
Jenkins,Anderson,
Williams.

PRIVILEGES AND ELECTIONS.

BLACK, Hamilton, *Chairman*.Bigelow,
Brennan,
Bishop,Young,
Appenzeller,
Read, of Summit,
Orrison,Hoover,
Aglar,
Gilson.

PUBLIC BUILDINGS AND LANDS.

BOUR, *Chairman*.Vollmer,
Brown, of Ashland,Brennan,
McGuffey,Colter,
Reynolds.

PUBLIC HEALTH.

CAMERON, *Chairman*.Schaefer,
King, of
Ashtabula,
Wintermute,Dickson,
Criswell, of
Coshocton,
Doster,Morris,
Winans,
Kemerer,
Gilson.

PUBLIC HIGHWAYS.

HITE, *Chairman*.Fell,
Kathe,
Rhulman,Horwitz,
Ertel,
Murphy,
Walsh,Anderson,
Smith, of Morgan,
McCormick.

PUBLIC PRINTING.

BEHNE, *Chairman*.Carroll,
Acker,
Reppert,Fulton,
Terrell,Hoover,
Conover,
Hastings.

PUBLIC SCHOOLS.

HOAGLIN, *Chairman.*

Barthelmeh,	Lowry,	Deaton,
Criswell, of Morrow,	Morris,	Gilson,
Detrick,	Shanley,	Pence,
Dickson,	Crawford,	Winans.
Kramer,	Brown, of Union,	

PUBLIC UTILITIES.

MILLS, *Chairman.*

Schweikert,	Lambert,	King, of Franklin,
Warnes,	Rhulman,	Capelle,
Orrison,	Black, of Wyandot,	Jackson.

PUBLIC WATERWAYS.

ORRISON, *Chairman.*

Appenzeller,	Orlikowski,	Anderson,
Terrell,	Foreman,	Pence,
Mueller,		Brown, of Union.

PUBLIC WORKS.

FOREMAN, *Chairman.*

Beatty,	Crawford,	Bonnell,
Read, of Summit,	Walsh,	Reynolds,
Wintermute,		Robinson.

RULES AND LEGISLATIVE PROCEDURE.

SWAIN, *Chairman.*

Lowry,	Kilpatrick,	Williams.
	Reid, of Fayette,	

SOLDIERS' AND SAILORS' ORPHANS' HOME.

BRENNAN, *Chairman.*

Kessler,	Cameron,	Cooper,
Hoaglin,	Beyer,	Anderson,
Hoffman,		McCormick.

STATE AND ECONOMIC BETTERMENT.

DONALDSON, *Chairman.*

Cameron,	Detrick,	Thatcher,
Snyder, of	Hoaglin,	Tetlow,
Hamilton,	Bigelow,	King, of Franklin,
	Read, of Summit,	Young.

SUPPLIES AND EXPENDITURES.

ERTEL, *Chairman.*

Sweeney,	Hoffman,	Agler,
Brown, of Ashland,	Welsh,	Capelle.
	Freeman,	

TAXATION.

KING, Ashtabula, *Chairman*.

Detrick,	Mills,	Conover,
Nungesser,	Snyder, of Pickaway,	Capelle,
Bour,	Warnes,	Davis.
	Black, of Hamilton,	

UNIVERSITIES, COLLEGES AND NORMAL SCHOOLS.

GUTHERY, *Chairman*.

Criswell, of	Young,	Plank,
Coshocton,	Warnes,	Plumb,
Etling,	Wintermute,	Thatcher.

VILLAGES.

REPPERT, *Chairman*.

Walsh,	Nungesser,	Bonnell,
Kessler,	Detrick,	Scott,
Stivers,		Diser.

WAYS AND MEANS.

DUFFEY, *Chairman*.

Kessler,	Ertel,	Gilson,
vonder Heide,	Winters,	Plumb,
Guthery,	Schaefer,	White.

COMMITTEE ASSIGNMENTS OF MEMBERS OF THE HOUSE.

Acker	Federal Relations Mines and Mining Public Printing
Agler	Codes, Courts and Procedure County Affairs Enrollment Privileges and Elections Supplies and Expenditures
Anderson	Liquor Traffic and Temperance Prisons and Prison Reform Public Highways Public Waterways Soldiers' and Sailors' Orphans' Home
Appenzeller	County Affairs, Chairman Privileges and Elections Public Waterways

Barthelmeh	Civil Service, Chairman County Affairs Liquor Traffic and Temperance Public Schools
Beatty	Insurance Military Affairs Public Works
Behne	Public Printing, Chairman Conservation of Natural Resources Constitutional Amendments and Initiative and Referendum Federal Relations
Beyer	Appropriations and Finance Conservation of Natural Resources Fees and Salaries Soldiers' and Sailors' Orphans' Home
Bigelow	Cities, Chairman Constitutional Amendments and Initiative and Referendum Privileges and Elections State and Economic Betterment
Bishop	Constitutional Amendments and Initiative and Referendum Prisons and Prison Reform Privileges and Elections
Black, of Hamilton....	Privileges and Elections, Chairman Cities Taxation
Black, of Wyandot....	Prisons and Prison Reform, Chairman Federal Relations Public Utilities
Boggs	Appropriations and Finance Banks and Banking Corporations
Bonnell	Appropriations and Finance Civil Service Public Works Villages
Bour	Public Buildings and Lands, Chairman Mines and Mining Taxation

Brennan	Labor Privileges and Elections Public Buildings and Lands Soldiers' and Sailors' Orphans' Home, Chairman
Brown, of Ashland....	Agriculture, Chairman Banks and Banking Public Buildings and Lands Supplies and Expenditures
Brown, of Union.....	Benevolent and Penal Institutions Public Schools Public Waterways
Cameron	Public Health, Chairman Agriculture Benevolent and Penal Institutions Soldiers' and Sailors' Orphans' Home State and Economic Betterment
Capelle	Corporations Military Affairs Public Utilities Supplies and Expenditures Taxation.
Carroll	Enrollment, Chairman Cities Public Printing Phraseology
Chapman	Labor, Chairman Conservation of Natural Resources Liquor Traffic and Temperance
Clark	Appropriations and Finance Banks and Banking Codes, Courts and Procedure Federal Relations
Colter	Cities Conservation of Natural Resources Corporations County Affairs Public Buildings and Lands
Conover	Banks and Banking Corporations Public Printing Taxation
Cooper	Cities Liquor Traffic and Temperance Soldiers' and Sailors' Orphans' Home

Cowan	Appropriations and Finance, Chairman Civil Service Fees and Salaries
Crawford	Conservation of Natural Resources County Affairs Public Works Public Schools
Criswell, of Coshocton..	Benevolent and Penal Institutions, Chairman Dairy and Food Products Fees and Salaries Public Health Universities, Colleges and Normal Schools
Criswell, of Morrow...	Judiciary Phraseology Public Schools
Davis	Conservation of Natural Resources Constitutional Amendments and Initiative and Referendum Taxation
Deaton	Dairy and Food Products Military Affairs Public Schools Liquor Traffic and Temperance
Detrick	Public Schools State and Economic Betterment Taxation Villages
Dickson	Benevolent and Penal Institutions Federal Relations Public Health Public Schools
Diser	Insurance Judiciary Villages
Donaldson	State and Economic Betterment, Chairman Appropriations and Finance Cities
Doster	Banks and Banking Constitutional Amendments and Initiative and Referendum Corporations Public Health

Duffey	Ways and Means, Chairman Codes, Courts and Procedure Manufactures and Commerce
Ertel	Supplies and Expenditures, Chairman Enrollment Public Highways Ways and Means
Etling	Phraseology, Chairman Conservation of Natural Resources Library Universities, Colleges and Normal Schools
Fell	Agriculture Fish and Game Labor Public Highways
Fellinger	Insurance, Chairman Appropriations and Finance
Foreman	Public Works, Chairman Insurance Prisons and Prison Reform Public Waterways
Freeman	Fees and Salaries Library Mines and Mining Supplies and Expenditures
Fulton	Federal Relations, Chairman Enrollment Public Printing
Gilson	Public Schools Ways and Means Privileges and Elections Public Health
Guthery	Universities, Colleges and Normal Schools, Chairman Agriculture Appropriations and Finance Ways and Means
Hastings	Dairy and Food Products Library Public Printing
Hite	Public Highways, Chairman Insurance Mines and Mining Library

Hoaglin	Public Schools, Chairman Phraseology Soldiers' and Sailors' Orphans' Home State and Economic Betterment
Hoffman	Labor Liquor Traffic and Temperance Soldiers' and Sailors' Orphans' Home Supplies and Expenditures
Holl	Banks and Banking Federal Relations Insurance
Hoover	Agriculture Privileges and Elections Public Printing
Horwitz	Insurance Liquor Traffic and Temperance Manufactures and Commerce Public Highways
Hunter	Agriculture Liquor Traffic and Temperance Manufactures and Commerce
Jackson	Fish and Game Manufactures and Commerce Public Utilities
Jenkins	Appropriations and Finance Federal Relations Prisons and Prison Reform
Kathe	Agriculture Military Affairs Public Highways
Kemerer	Constitutional Amendments and Initiative and Referendum Federal Relations Public Health
Kennedy	Banks and Banking, Chairman Appropriations and Finance Insurance
Kessler	Soldiers' and Sailors' Orphans' Home Villages Judiciary Ways and Means

Kilpatrick	Judiciary, Chairman Labor Rules and Legislative Procedure
Kilrain	Codes, Courts and Procedure Prisons and Prison Reform Enrollment
King, of Ashtabula....	Taxation, Chairman Fish and Game Public Health
King, of Franklin.....	Cities Codes, Courts and Procedure Public Utilities State and Economic Betterment
Kramer	Insurance Judiciary Public Schools
Lambert	Mines and Mining, Chairman Labor Public Utilities
Leist	Appropriations and Finance Civil Service County Affairs
Lowry	Fish and Game Public Schools Rules and Legislative Procedure
Lustig	Corporations, Chairman Fish and Game Phraseology
McCormick	Agriculture Fish and Game Public Highways Soldiers' and Sailors' Orphans' Home
McGuffey	Agriculture Federal Relations Public Buildings
Mills	Public Utilities, Chairman Cities Taxation Federal Relations
Morris	Appropriations and Finance Benevolent and Penal Institutions Public Health Public Schools

Mueller	Fish and Game, Chairman Codes, Courts and Procedure Constitutional Amendments and Initiative and Referendum Public Waterways
Murphy	Agriculture Civil Service Public Highways
Nungesser	Agriculture Dairy and Food Products Taxation Villages
Nye	Codes, Courts and Procedure Insurance Labor Military Affairs
Orlikowski	Benevolent and Penal Institutions Fees and Salaries Manufactures and Commerce Public Waterways
Orrison	Public Waterways, Chairman Cities Privileges and Elections Public Utilities
Pence	Agriculture Fish and Game Public Schools Public Waterways
Plank	Agriculture Banks and Banking Fees and Salaries Universities, Colleges and Normal Schools
Plumb	Benevolent and Penal Institutions Phraseology Universities, Colleges and Normal Schools Ways and Means
Quinlisk	Dairy and Food Products Fees and Salaries Prisons and Prison Reform
Reid, of Fayette	Insurance Judiciary Rules and Legislative Procedure

Read, of Summit.....	Conservation of Natural Resources, Chairman Constitutional Amendments and Initiative and Referendum Privileges and Elections Public Works State and Economic Betterment
Reighard	Banks and Banking County Affairs Fees and Salaries
Reppert	Villages, Chairman Fish and Game Public Printing
Reynolds	Appropriations and Finance Public Buildings and Lands Public Works
Rhulman	Benevolent and Penal Institutions Mines and Mining Public Highways Public Utilities
Robinson	Benevolent and Penal Institutions Labor Public Works
Schaefer	Dairy and Food Products, Chairman Public Health Ways and Means
Schweikert	Benevolent and Penal Institutions Codes, Courts and Procedure County Affairs Public Utilities
Scott	Appropriations and Finance Constitutional Amendments and Initiative and Referendum Manufactures and Commerce Villages
Shanley	Military Affairs, Chairman Civil Service Mines and Mining Public Schools
Siebert	Benevolent and Penal Institutions Manufactures and Commerce Military Affairs

Smith, of Butler.....	Library, Chairman Banks and Banking Benevolent and Penal Institutions Judiciary
Smith, of Morgan.....	Dairy and Food Products Insurance Manufacture and Commerce Public Highways
Snyder, of Hamilton...	Agriculture Judiciary Library State and Economic Betterment
Snyder, of Pickaway...	Judiciary Liquor Traffic and Temperance Taxation
Stivers	Codes, Courts and Procedure County Affairs Military Affairs Villages
Swain	Rules and Legislative Procedure, Chairman
Sweeney	Benevolent and Penal Institutions Liquor Traffic and Temperance Supplies and Expenditures
Terrell	Manufactures and Commerce, Chairman Banks and Banking Codes, Courts and Procedure Public Printing Public Waterways
Tetlow	Conservation of Natural Resources Judiciary Labor Mines and Mining State and Economic Betterment
Thatcher	Benevolent and Penal Institutions Federal Relations Phraseology State and Economic Betterment Universities, Colleges and Normal Schools
Thomas	Fees and Salaries, Chairman Enrollment Labor
Venus	Cities Corporations Insurance

Vollmer	Constitutional Amendments and Initiative and Referendum Labor Public Buildings
vonder Heide	Dairy and Food Products Judiciary Ways and Means
Walsh	Public Works Public Highways Villages
Warnes	Constitutional Amendments and Initiative and Referendum, Chairman Public Utilities Taxation Universities, Colleges and Normal Schools
Welsh	Liquor Traffic and Temperance, Chairman Federal Relations Military Affairs Supplies and Expenditures
White	Agriculture Benevolent and Penal Institutions Ways and Means
Williams	Judiciary Prisons and Prison Reform Rules and Legislative Procedure
Winans	Appropriations and Finance Public Health Public Schools
Wintermute	Public Health Public Works Universities, Colleges and Normal Schools
Winters	Codes, Courts and Procedure, Chairman Library Ways and Means
Woodworth	Civil Service Enrollment Mines and Mining
Young	Judiciary Privileges and Elections Universities, Colleges and Normal Schools State and Economic Betterment

**TESTIMONY TAKEN BY THE COMMITTEE
APPOINTED UNDER THE PROVI-
SIONS OF HOUSE RESOLUTION
No. 8 — MR. GUTHERY.**

(287)

MR. VOLLMER, OF CUYAHOGA.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

Q. You may give your full name to the stenographer. A. Harry F. Vollmer.

Q. You are a member of the 80th General Assembly, being a member of the House? A. Yes sir.

Q. Your term began the first day of January 1913. A. Yes sir.

Q. And will expire on the 31st day of December 1914. A. Yes sir.

Q. State to the committee whether from the first day of January . . . that is the first day of January 1913 until now you have acted as a member of the 80th General Assembly. A. While in session, yes.

Q. And at no time, of course resigned your position as representative? A. No sir.

Q. Now, Mr. Vollmer, state to the committee whether from January 1, 1913 up until the present time you have performed any services of any kind for any other department of the state or any bureau of the state government. A. I have.

Q. State to the committee in what ——— under what department you have served. A. Under the Bureau of Labor Statistics.

Q. By whom were you employed? That is by what man? A. I think his title is statistician of labor, Mr. Fred Lang, of the committee of labor statistics.

Q. What is his name? A. Fred Lang.

Q. Is he here in Columbus now? A. No, he has a free employment bureau in Cleveland.

Q. State to the committee when you were employed by him. A. I could not just tell you when it began. After the close of the legislature I took a trip east where I formerly resided and while there received a telegram from my son stating that Mr. Lang wanted to see me. I wrote him and told him that I would be glad to see him in regard to the position if it would wait until I got back. When I got back to Cleveland the boy told me about Mr. Lang's having been there and I went to see him and after talking with him went to work. I don't know just when it was, either June or July, I think June, the beginning of June or July.

Q. Of what year? A. 1913.

Q. When did your services cease under this employment? A. I have not stated I was employed.

Q. Go ahead. A. I got to Cleveland and called him up and he asked me to gather up some of the statistics and I asked him whether or not it was unconstitutional and he replied that it was not unconstitutional, that he had received an opinion from Attorney General Hogan and he said this did not come under the law.

Q. You think that you began the work along in June or July? A. Yes.

Q. Do you remember when it ceased? A. October first.

Q. Under your contract were you to receive any fixed compensation? A. \$100.00 per month.

Q. State to the committee how much you drew for your services. A. I could not tell, \$100 per month from either June or July until October. Was supposed to have received expenses but did not.

Q. Your services ceased in October? A. Yes.

Q. State whether you have performed any services since. A. None.

Q. State whether you have since January 1, 1913, been in the employ of any state department or any sub-division of the state. A. I do not know what you call it but while I was getting these statistics I did some work under the Warnes and Kilpatrick laws on the referendum frauds. Don't know but think it was some time in June.

Q. Could you state where you got authority to undertake the work? A. Mr. Lang gave us the names.

Q. What compensation did you get in connection with this? A. Nothing extra, the same salary.

Q. How long did you work at it? A. I suppose probably about three months but did not work all the time.

Q. State whether you performed any other services outside those you have mentioned? A. You mean for the state?

Q. Yes. A. No.

Q. Neither county or city or any sub-division thereof? A. No.

Q. Mr. Vollmer, will you mention particularly what your duties were under the Bureau? A. Why there is a sort of form goes out from the Bureau to the manufacturers and industries of the state to fill out the first of January of each year and if they do not return them within three months another is sent out. If this is not filled out and returned the Bureau sends out men to investigate and bring them in. Mr. Lang explained to me that the reason he wanted me was that I was acquainted with the labor movement and might get them.

Q. You would return them here to Columbus? A. Yes.

Q. Did you have any official title? A. No, no title.

Q. For how long employed? A. For the period above stated.

Q. Who issued the voucher or order under which you drew your pay? A. Mr. Lang sent us a regular form which we filled out and sent back to him.

Q. Did you get a warrant from the state auditor? A. I could not tell. If there were any expenses they were returned to him and he sent back a duplicate which was handled through the bank.

Q. Did you draw your money through the bank? A. Yes.

Q. Would there be any office of the state where they would know about the transaction, the money and services you rendered other than Mr. Lang? A. I suppose the state auditor.

Q. The state auditor? A. Yes, I suppose he paid the bill or voucher.

Q. And this \$100.00 per month that you got from the time your services started, is that all the money you drew? A. Yes.

Q. (By Mr. Colter) If you were not employed why did you not continue this up to the time the legislature was in session? A. I thought I made it clear. I had something else in view and did not care to go to work. Mr. Lang gave me to understand he wanted me to help him out.

Q. (By Mr. Kramer) Did you draw any other funds than those

which you have stated? A. None. I want to state Mr. Kramer, you asked me about any sub-division. I worked for the city of Cleveland.

Q. That is since you quit the service of the labor bureau? A. Yes sir.

Q. What did you do? A. I had charge of some repair work.

Q. By whom were you employed? A. By the superintendent of public work.

Q. Did he employ you by the month or by the job? A. By the hour.

Q. Tell the committee how long you worked for the city. A. Since October first.

Q. Since leaving the employ of the state? A. Yes.

Q. Could you give approximately how much money you received? A. I could not because I was employed by the city.

Q. Are you doing any of that work now? A. No.

Q. State if you have drawn anything for services rendered since the 19th of January this year. A. No.

MR. ORRISON, OF FRANKLIN COUNTY.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

Q. Your name is Charles Orrison? A. Yes, Charles A. Orrison.

Q. You are a member of the 80th General Assembly, a member of the House? A. I am.

Q. You were elected in the fall of 1912, and your term of office began the first day of January 1913? A. It did.

Q. And would expire on the 31st day of December 1914? A. I think so.

Q. State to the Investigating Committee whether you are acting as a member of the 80th General Assembly. A. I am.

Q. Have you been so acting since the first day of January 1913? A. I have.

Q. Now, Mr. Orrison during the period of time from January 1, 1913, up until the present time state to the committee whether you have drawn any money other than that which you have drawn by virtue of the 80th General Assembly. A. Do you wish me to tell from the time I was elected?

Q. No, from the time you took your seat up to this time. A. I drew money from the state automobile department.

Q. State, Mr. Orrison when you were first employed by the automobile department. A. Well, I was . . . My first appointment came in April 1911, I think, I am not sure, I began work for Mr. Graves I think about April first 1911, I think, I am not sure of the date.

Q. I believe you gave the date, you said you were an employe of the state in 1911. A. Yes.

Q. Were you in the state automobile department at the time of your election to the 80th General Assembly? A. Yes.

Q. How long after you were elected did you serve in the automobile department? A. Up to January 1, 1913.

Q. What did you do then? A. I took my seat in the Assembly.

Q. What did you do, with your position while you were occupying a seat in the General Assembly? A. I did not receive any salary from the automobile department until after the close of the session. I drew no money from the state during that season of the year when they received from 20,000 to 30,000 registrations. I assisted in the department but never received any salary for it.

Q. After they adjourned state whether you received any pay then. A. I think it commenced about May first.

Q. What year? A. 1913 and worked in the department in a sub-clerical position.

Q. How long? A. Up to January 1, 1914.

Q. State whether you have rendered any services in 1914. A. I have not.

Q. State if you received any money in 1914. A. I have not.

Q. We do not care for the amount of money that you received up until January 1, 1913, at which time you assumed your duties as representative, but if you can, state to the committee how much money you have drawn for your services since January 1, 1913. A. I think about \$900.00.

Q. How are you paid, by the month? A. Yes, by the month, \$112.50.

Q. By whom are you employed? A. By the secretary of state.

Q. That is Charles A. Graves? A. Charles A. Graves.

Q. Do you know, have you in mind the section of the statute under which you were appointed? A. No, I do not.

Q. We can get it. Who is your chief? A. Mr. Shearer, J. A. Shearer.

Q. What are your duties? A. Well I have been in the last..... since I have been over there, have been issuing certificates to chauffeurs, also making up records, that is if application is presented for license, I simply issue certificate to that party to operate his car as chauffeur or owner or whatever is to be done or whatever duties the secretary of state sees fit to assign.

Q. Have you any official title? How would you be designated? A. I have not. I do not know, possibly as chauffeur clerk.

Q. Under whom did you work, if any one, who is what might be called your boss? A. Under Mr. Graves, or Mr. Shearer has charge of the department.

Q. Who has authority to discharge you. A. Mr. Graves.

Q. You want the committee to understand that he could remove you at any time? A. I do.

Q. You want the committee to understand that you performed some service in the department during the first session of the 80th General Assembly but received no compensation for the same. A. I do. I would like.....

Q. After I get through you may make any statement you wish. Are you in the employ of the department for any length of time? A. No, none whatever.

Q. (By Mr. Williams) Would you state to the committee the nature of the contract when you first took the position? A. I did not have any contract.

Q. There must have been some contract by which you entered upon the duties of your position. With whom did you talk? A. Mr. Graves.

Q. What was the nature of it? A. That he would give me employment in the automobile department.

Q. Did you receive any pay during the time you were a member of the House? A. Just as I received . . . told Mr. Kramer, I received \$112.50 while working.

Q. To whom did you go to see about a position in the automobile department? A. Mr. Graves.

Q. What was said about the salary you were to receive when you went to see about the position? A. There was nothing said.

Q. But tell the committee just what was said when you went to see Mr. Graves about this position and the salary you were to receive? A. There was nothing said.

Q. Surely you must have had some understanding with Mr. Graves, tell the committee as nearly as possible the conversation that took place. A. Now Mr. Williams, I think I visited Mr. Graves probably 50 or 100 times from December until May and took up with him the matter before I received employment and I cannot say just what occurred. You have been in politics long enough to know that in a case of this kind a good deal is said both pro and con.

Q. You deem this a political job then? A. I do. Sure.

Q. Did you solicit the appointment? A. When I went the first time I did, sure I did. That was before I ever thought of running for the legislature.

Q. You state you did not work continuously from April 8, 1911? A. I said this. I started to work I think in April and worked along in 1912 and received the nomination as representative took no time whatever and made no campaign except those two weeks' vacation which is allowed the boys in the state department for vacation.

Q. What I would like to know is what sort of contract you entered into after you took your seat and assumed your duties at the end of the last session of the legislature. A. I did not enter into any contract. Mr. Graves told me to go to work.

Q. Would you tell us just what was said? A. I told you he said "Go to work." I want to say that there is not a thing but what I want to tell the committee.

Q. You want us to understand that Mr. Graves told you to go to work? A. Yes sir.

Q. (Mr. Kramer) You want the committee to understand that after you were elected as representative you never had any different arrangement or contract with Mr. Graves as to your employment? A. No sir.

Q. Where could we secure the books that would show as to the pay you received? A. Mr. Shearer.

Q. He could show us what you drew? A. He could, I am satisfied it was \$900.00 I think it was either May first or June first.

Q. (By Mr. Williams) Is it true that there was an understanding between you and Mr. Graves that you were to resume your duties at the end of the session? A. Nothing but what I have already told you.

Q. You can answer yes or no. A. As to that I do not remember anything that Mr. Graves and I might have said on the matter after the session and it was understood from the decision of the supreme court that I would be allowed to go back into the department.

Q. Did you receive any other opinion from the secretary of state as to the legal phase? A. I did not.

Q. Did you ask them? A. I did not. I looked up the decision of the supreme court where they held this ruling in another case. I would have been a very foolish man to have done it if I had not taken this into consideration.

Q. You looked this up yourself? A. Yes. I want to say further to the committee that I have tried to help the people: I have never tried to conceal where I was working at no time. The records are open for their investigation and I want to make it clear I never received a cent except what I worked for and worked hard and during the time that I have been there no clerk has worked any harder than I have. I have worked many nights until ten o'clock.

Q. (By Mr. Kramer) And did not get anything extra? A. Not a penny. I never received a thing and worked Saturday afternoon when the employes are supposed to have their holiday. I want to say that I thought I came within the rights of the law I would not have done this work were it not the work I was doing before my election.

In answer to question Mr. Orrison signified his willingness to again come before the committee if called.

Mr. Orrison was recalled some fifteen minutes later and submitted the following supplementary testimony:

Q. (Mr. Kramer) Mr. Orrison, state to the committee whether outside of the funds you drew from the automobile department you drew any other public funds of the state, county or any sub-division thereof. A. I have not.

Q. State please whether you were employed in any other capacity whatever by the state, county or city. A. None whatever.

Q. You might state, Mr. Orrison, did you draw any money from the state treasurer, where did you get your money, whose books would show the transaction? A. I think the automobile department, it is paid from the proceeds of the department.

Q. What fund would that come out of? A. I don't know but I think the expenses of the department are taken out of the funds collected and the balance turned over to the treasurer.

Q. The voucher that you would receive for your salary would be signed by whom? A. Secretary of state.

MR. WARNES, OF HOLMES COUNTY.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

Q. Mr. Warnes, your name I believe is Milton A. Warnes? A. Yes sir.

Q. You are a member of the 80th General Assembly representing Holmes County? A. Yes sir.

Q. And your duties as representative began on the first day of January 1913? A. Yes sir.

Q. And will expire the 31st day of December 1914? A. Yes sir.

Q. State to the committee whether you are serving in the capacity of representative from Holmes County. A. I am.

Q. And have been so serving from January 1, 1913, up until the present time? A. Yes sir.

Q. Now, Mr. Warnes, state to the committee whether from the first day of January 1913 up until the present time you have served in any other public capacity other than that of representative from Holmes County. A. I have.

Q. Was this service rendered under some department of the state government or under some subdivision of the state? A. Well, I was under the impression that I was acting as the agent of the superintendent of banks and also for the common pleas court of Stark County in the matter of the liquidation of the Citizens' Bank of Beach City.

Q. State to the committee by whom you were employed. A. I was appointed to the position by Mr. Lattanner, superintendent of banks.

Q. When did this employment begin? A. October first.

Q. Of what year? A. 1913.

Q. Has the employment ceased? A. No, I resigned this on the 13th or 14th day of October, I believe.

Q. Of what year? A. 1913, but the superintendent of banks for his own reasons accepted the resignation to take effect at the time of the payment of the first dividend to the depositors of that bank.

Q. Has that come about? A. Yes sir.

Q. What date? A. The 14th day of January, 1914.

Q. State to the committee whether after that resignation was accepted, whether your duties ceased. A. Yes sir.

Q. State to the committee what the nature of your duties were under Mr. Lattanner. A. My duties as I understood them were to represent the depositors of defunct banks and it was told to me that any deficit in the funds of the bank would be made good and I was to serve until such deficit was made good which they failed to do and naturally the tenure of office was indeterminate.

Q. When you were employed or appointed by Mr. Lattanner for what length of time were you appointed? A. There was no time specified, until the banks made good their deficit.

Q. What was your title? A. I do not know whether I can recall all of it but can get most of it "Special deputy superintendent of banks in the liquidation of the citizens' bank of Beach City, Stark County, Ohio."

Q. State to the committee whether you rendered any other services to Mr. Lattanner, superintendent of banks, other than the services you rendered in this bank at Beach City. A. No sir, I did not. That is to say I was not in any other way connected with the banking department.

Q. Did you assist in liquidation of any bank other than Beach City? A. I did not.

Q. Did you perform any other services for Mr. Lattanner other than the services in the liquidation of the bank at Beach City? A. No sir, I did not.

Q. And you state your employment or appointment ceased on the 14th day of January? A. That happened to be the date of the first dividend and was accepted on the 13th or 14th day of October to take effect at that time.

Q. Was it written? A. Yes.

Q. That would be on file in the banking department? A. Yes. I wrote it in the body of a letter to Mr. Lattanner which I judge he would have.

Q. Well, Mr. Warnes, since your resignation was accepted on the 14th day of January, have you performed any services for the banks and banking department? A. No sir.

Q. Now, Mr. Warnes, for the services that you performed at Beach City . . . well, I wish you would state a little more fully what your work was. A. My work was representing the depositors in making the assets of the bank.

Q. State to the committee what compensation you received in the liquidation of the bank. A. \$250.00 per month.

Q. When did you begin? A. October first.

Q. When did you resign? A. The 14th day of January.

Q. Do you know now the entire sum you received? A. I do not, it would be in the neighborhood of \$875.00.

Q. Mr. Warnes, where or from what office did you draw the \$850.00 or whatever sum you drew? A. I did not draw it from any office.

Q. State to the committee where you got the money. A. At the end of each month I paid myself \$250.00 out of the assets of the bank.

Q. State to the committee whether any body outside of Mr. Lattanner had anything to do with your compensation of \$250.00 per month. A. Yes sir, Judge Ake of the common pleas court of Stark County had to approve every bit of the expenses of the liquidation and to approve every sale or transaction I made while acting.

Q. The records of Stark County would likely show the amount of money you drew? A. Yes sir, the records would show the amount of the expenses of liquidation and the amounts that were paid for any expenses.

Q. Do you know if the superintendent of banks would have a record? A. No, the superintendent of banks only allowed and approved the expenses and the expenses that he allowed were again approved by Judge Ake.

Q. And so far as counsel and attorney fees, those had to be approved by Mr. Lattanner, but you had a fixed salary? A. Yes, it was fixed by Mr. Lattanner and approved by the court.

Q. Then you want the committee to understand that the service at Beach City was the only service you performed for the department? A. Yes.

Q. State whether outside of the banking department you rendered any service for any other department of the state. A. I do not know that you would call it services or say that I was employed. I was nosing round in the I. & R. Fraud last summer but I paid my own expenses and while doing it was trying to locate Billy Burke and Ty Cobb and others over at Youngstown, but did it for the good of the cause.

Q. State whether you did it by virtue of being employed by any department at Columbus. A. It was not but I was assigned the territory of Wayne, Summit, Portage, Mahoning, Tuscarawas and Stark counties.

Q. Who has charge of the Democratic Committee? A. One W. L. Finley.

Q. Would there be any other official or any other person who would know with reference to the services you performed along that line? A. Well, no, I do not know that I could specify any one individual. I was not responsible to any individual but I did make my reports as I remember it to Mr. Finley direct and he in turn I believe, took it up with the secretary of state for the Democratic organization for it seems as though the Administration felt an interest in having an honest referendum in Ohio.

Q. How long did you work along these lines? Probably about 15 or 20 days. I think I went to work about the 25th of July. I had a little vacant time and did not have much to do and begun about the 25th of July and completed it about the 15th or 18th of August.

Q. State to the committee what compensation you received for this investigation. A. I did not receive any compensation.

Q. State to the committee what were your exepnses. A. I paid my own expenses.

Q. You might state to the committee whether in performing this service whether you were under the charge of any one, that is whether you had any boss. A. No, I was. Well, I might state to you gentlemen just how I started to work on the proposition. I did not think it in the employ of a boss. I was in Columbus about the time these were being exposed and while in Mr. Finley's office, I volunteered to go out and look up and for other fraudulent petitions. He said "Where would you care to go?" I said, "I have a couple of weeks, give me some county and I will carry on investigations in that county."

Q. Outside of the work you performed for the Bank of Beach City and the investigation of these petitions, state to the committee what other work, if any, you did for the state department. A. Well, let me see . . . I believe that I did some work for the automobile department for a week or two or three.

Q. By whom were you employed or under whom were you working in this department? A. Mr. Shearer.

Q. And where were your duties performed, that is here in Columbus or . . . A. No, in Holmes county and the territory about there.

Q. What were you doing when working in that department? A. Spotting automobiles that did not have tags.

Q. Were you on a motor cycle or . . . A. No, just as I happened to see them.

Q. Mr. Warnes, in the work you did for the automobile department were you employed by Mr. Shearer or some other? A. No, Mr. Shearer was the only one who employed me.

Q. State to the committee what compensation you received from your employment by Mr. Shearer. A. I did not receive any salary, but received my expenses when traveling.

Q. How long did you work? A. Don't know but it seems to me it begun about the tenth of July and was over about the 30th of August.

Q. Do you remember, Mr. Warnes, about the amount of expense money you drew? A. No, I do not.

Q. Would the books of Mr. Shearer show the amount you drew? A. I suppose so, I never saw his books.

Q. State whether your expenses and pay came through the state auditor. A. I do not know, my expenses were handed me by Mr. Shearer.

Q. You could not tell . . . could you tell to the committee whether your expenses came out of the automobile fund before it was turned into the state treasury or out of the state treasury? A. I do not know.

Q. State whether you performed any other service for the automobile department than those you have narrated. A. No other, none.

Q. State whether outside of the services you rendered in the banking department and these petitions and the automobile department whether you have since performed any other service other than those you have mentioned. A. No, I have not.

Q. State to the committee whether since the first day of January, 1913, you have drawn any money from the state or any state department other than that which you have already designated together with the salary you drew as representative. A. I do not quite get the question.

Q. Outside of the \$850.00 you drew for the liquidation of the bank and the expenses you drew for looking after the work in the automobile department, state to the committee whether you drew any money from the state or any political sub-division of the or department of the state other than your salary. A. I can not answer that question in the way it is put, because the salary I drew in liquidating the bank was not drawn from the state.

Q. Did you draw any money from the state or any department or office of the state other than your salary as representative except the expenses in the automobile department? A. No.

Q. State to the committee whether you performed any service for any county or sub-division of the state since January 1, 1913. A. No sir, I did not.

Q. And drew no pay of course? A. No.

Q. Now, Mr. Warnes, you want the committee to understand you drew \$850.00 in the liquidation of the bank at Beach City from the funds you collected in? A. Yes.

Q. And you drew your expenses from the automobile department during the month and a half or thereabouts that you worked for the automobile department and drew nothing whatever in any way for the work you rendered in the investigation of the petitions? A. I do.

Q. This is the way you want the committee to understand it? A. Yes.

Q. Outside of Mr. Lattanner and Judge Ake and Mr. Shearer and Mr. Finley, do you know of any other office in the state or county from which we could get a knowledge of the facts? That would be all; Mr. Finley, Judge Ake, Mr. Shearer and Mr. Lattanner? A. Yes sir, it seems to me that would be all the people.

Q. State to the committee if you can the section of the statute by virtue of which you received your appointment under the banking department of the state. A. Section 742-2.

Q. (By Mr. Williams) State whether or not Mr. Black of Hamilton worked with you in the liquidation of the Beach City bank. A. Mr. Black represented me as attorney in one or two matters.

Q. You were known as liquidating agent? A. Yes. Mr. Black was special counsel, I believe, assigned to the position by the department; that is merely my understanding. I do not know.

By Mr. Kramer.

Q. If there is anything further you wish to state to the committee you may do so. A. There is not anything further to state. I think I have told you all excepting I was acting under the impression that I was not an employe of the state. This is the way that I figured it out. I received my salary when the legislature adjourned and while I was ready at any time, subject to the call of the Governor to take up my duties as a legislator, and while I did not have any idea it would debar me from earning bread and butter or of course I would not have accepted it. I might state that in some way . . . I would suggest to you that you could learn concerning the transaction in the matter of the bank you mention from Mr. W. P. Duffey who was employed as special counsel of the bank-

ing department and Mr. Frank Davis who also represents the banking department.

Q. (By Mr. Williams.) Did you secure from those attorneys an opinion? A. No, I mentioned it here because they would be familiar with the transaction in reference to the liquidation of the bank.

Q. Did you get an opinion from the attorney general? A. I did not.

Q. (By Mr. Kramer) During the session of the legislature the former session and the present session, we are to understand that you performed no services? A. I want you to understand that, yes, sir.

MR. HOFFMAN, OF HAMILTON.

The witness being produced and duly sworn testified as follows:

EXAMINATION BY MR. KRAMER.

Q. Mr. Hoffman, your name is A. John C. Hoffman.

Q. You are a member of the 80th General Assembly? A. Yes sir, I am.

Q. Your term of office as representative began the first day of January, 1913? A. Yes.

Q. Your term would expire on the 31st day of December, 1914. A. Yes.

Q. I want to ask you, Mr. Hoffman, whether from the first day of January, 1913, up until the present time you have been acting as representative. A. I were.

Q. Now, Mr. Hoffman, state to the committee whether from the first day of January 1913 up until the present time you have drawn or . . . put it in this way, performed any services in any capacity under the state or any state department or any county government other than your services as representative. A. Yes, I served from the first day of September until the 15th day of June as special agent of the labor commission of the state of Ohio in Hamilton County.

Q. State to the committee the date this began. A. September first, 1913.

Q. I think you have your dates confused. A. June first, they began June first and expired September 15th, 1913.

Q. State to the committee by whom you were employed. A. Well, I was appointed by Mr. Fred Lang, secretary of the labor bureau by being recommended by Patrick McHugh of the Free Employment Bureau of Cincinnati.

Q. Would we go to see him to get the record of this? A. No, I did not see him personally, only took the matter up with him by wire through Mr. McHugh.

Q. State to the committee what your duties were. A. Getting in statistics for the labor department.

Q. What kind of certificates? A. The department of labor mails out to firms blank certificates that are supposed to be returned to the labor commissioner's office filled out. When they are not returned an agent is hired to go out and gather them in for the department.

Q. In what counties are these employed? A. In Franklin, Cuyahoga, Hamilton and one other county, I don't remember.

Q. And who failed in making these reports? A. Numerous concerns, business concerns, factories and places where they employed labor.

Q. Mr. Hoffman, your duties I suppose were in Hamilton county? A. In Cincinnati.

Q. Could you state to the committee how much money you drew? A. \$350.00, \$100.00 per month.

Q. State to the committee whether you were to be paid at the rate of \$100.00 per month when you accepted the position. A. That is true.

Q. From whom did you draw the money? A. Secretary of state and labor department vouchers were mailed on.

Q. Do you know whether the vouchers passed through the auditor of state? A. They certainly did, the auditor of state.

Q. Did you come to Columbus to have the vouchers cashed? A. No, down home, in Cincinnati.

Q. Did you have any name or title? A. Special agent.

Q. State to the committee what kind of work you did. A. All clerical work, went about certain places and found out why they did not send in reports. Some of them did not understand that they were to send in reports and it was my duty to instruct them.

Q. Whom did you say was your boss or overseer? A. Mr. Lang, Mr. Fred Lang, Secretary of Labor bureau, was my superior.

Q. State to the committee whether you performed any services for the labor department since the first day of January, 1914, up to the present time or have you drawn any funds? A. I have not.

Q. State to the committee whether from June first, 1913, you have performed any service for the labor department. A. No, none.

Q. And state to the committee whether you have drawn any funds. A. No, none.

Q. And will you state to the committee whether outside of the \$350. you drew any funds from any department of the state or county or any sub-division of the state. A. I did not.

Q. State to the committee whether you performed any service for any department of the state government, or any subdivision of the state other than the services you have narrated you performed for the labor bureau. A. Mr. Chairman, if you will allow me to explain it in my own way I think I can make it better understood. In the first place I was not an applicant for the position, in the second place Mr. McHugh knowing that I was a labor man and a member of the convention and that I knew the laboring people thought I would be a good man for the place and recommended me for it. I was not at home when he called to see me and I went to his office when my wife told me he had been there. He said, "John, I have recommended you as special labor agent." He said to me what I am saying to you that he thought that as I was interested in the labor movement and knew a lot about it and would be a good man to gather in these certificates. I did investigate the Workmen's Compensation Act on my own time; went out and worked against the fraudulent petitions and did the same on the Warnes and Kilpatrick bill on my own time, did it nights and Sundays, absolutely on my own time and did not receive one penny for it.

Q. Would you state to the committee . . . A. I did not get one penny.

Q. Would you state to the committee by whom if any one you were employed to look into the matter? A. By the bureau. I was handed a list and after our day's work was done I took those I thought I could investigate and investigated them.

Q. To whom did you send in your reports? A. To the secretary of state's office.

Q. You were employed as we understand it by the bureau in Cincinnati? A. No, by the labor commission.

Q. I mean so far as investigating the fraudulent petitions is concerned by whom were you employed? A. I was not employed by any one but was heartily in favor of doing it. Any labor man would be in favor of doing all he could for the cause and they will tell you in Cincinnati how I am with the labor being a labor man myself. I went out during the strikes in Cincinnati and tried to settle them, did what I could to settle the strikes there, they will all tell you that.

Q. (By Mr. Williams) Mr. Hoffman, I want to ask you one question . . . you say that Mr. Patrick McHugh assigned you that district? A. The free employment office comes under the labor commission.

Q. (By Mr. Kramer) What section of the statute does that come under? A. I don't just know.

Q. We can look it up.

Mr. Hoffman was then dismissed after signifying his willingness to again appear before the committee if wanted.

MR. BROWN, OF ASHLAND.

The witness being produced and duly sworn testified as follows:

EXAMINED BY MR. KRAMER.

Q. Mr. Brown, your name is W. B. Brown? A. W. M. Brown, yes sir.

Q. And you are a member of the 80th General Assembly your term of service as member began on January 1st, 1913? A. Yes sir.

Q. And will end December 31, 1914, you are a member of the House and elected from Ashland — to represent Ashland County? A. Yes sir.

Q. You are acting and serving as a member of the House? A. Yes sir.

Q. Now, Mr. Brown, state to the committee whether at any time from January 1st, 1913, up until the present time you have served in any other capacity under any department of state other than the services you have rendered as representative of your county. A. I was employed by the president of the agricultural commission for 18 or 19 days for special work along with the inspection of commercial feed stuffs, I think perhaps October or November, I have not the dates with me.

Q. Of what year? A. 1913.

Q. You say the time you were employed was 18 or 19 days? A. Yes.

Q. Who is at the head of the department? A. A. P. Sandles.

Q. Were you employed by him? A. Yes, at his urgent request.

Q. How much did you get? A. A per diem of five dollars.

Q. Over and above expenses? A. Yes sir.

Q. So you drew about ninety or ninety-five dollars? A. Yes sir.

Q. Did you draw it from the state treasury? A. The voucher goes through the bank, you can send them that way as regular commercial paper. It goes as a warrant on the state auditor and he issued a warrant to the state treasurer.

Q. The paper you got—the order for the money, from whom did you get it? A. Mr. Sandles.

Q. Did you take it to the auditor of state or to the bank? A. I took it to the auditor of state and he issued a warrant.

Q. So the books of the auditor of state would likely show the transaction with reference to the money paid out? A. Without doubt.

Q. Now, Mr. Brown, state to the committee about what the nature of your services were. A. Inspection of commercial food stuffs and fertilizers. Worked as inspector of stores where commercial feed stuffs and fertilizers are sold illegally and adulterated and collected samples.

Q. Would your duties take to different parts of the state? A. Well, it took me to the southwest part of the state.

Q. State to the committee whether you performed any service along the line you mentioned other than in October or November 1913. A. Absolutely none.

Q. State whether you performed any service for any officer or department of state government other than the services you have already outlined. A. Absolutely none. That is eliminating the work as member of the legislature.

Q. Yes, other than those you performed as representative. Your contract was with Mr. Sandles himself? A. I had no contract I was hired by him but did not have any contract, he could lay me off at any time he choose.

Q. Were you employed in the agricultural department before you were elected to the Legislature? At what time did you first have employment in this department? A. About five or six years ago.

Q. Were your duties all along the same as outlined to the committee? Did you have any official title that you were known by? A. No, none. The law states that there shall be an inspector of commercial feed stuffs and under the old law the secretary of agriculture had the authority to send them out to collect samples.

Q. (By Mr. Williams) Do you recall the section? A. No, I do not, it is the section that has to do with the appointment of officers in connection with the agricultural commission.

(Later it was found to be section 1134 of the General Code.)

If the page will go down to the commissioner's office he can get the law covering fertilizers and feed stuffs.

Q. (By Mr. Kramer) You will be in the house and will come again before the committee if any further information is desired? A. Yes sir. If you will permit it I would like to suggest that before I accepted the position the question of public policy was brought up and before I assumed the responsibility to take up the work I went with Mr. James Fleming, former assistant to the attorney general to Mr. McGhee and Mr. McGhee authorized me to go ahead and do the work. He said that it was not an office and not contrary to the Constitution, and if you will permit me, I will file with you a copy of a letter signed by Mr. Timothy Hogan, Attorney General and rendered in the case of . . . and refers to the opinion rendered in connection with the agricultural work and

office held under that bureau in connection with farmers' institute work and was accepted by Mr. Huber who was former chairman and a member of the House.

Q. (By Mr. Williams) You received no other opinion from the attorney general with reference to your accepting the position? A. Mr. McGhee furnished me the instructions in the presence of Mr. Fleming whom you can readily get at any time you wish.

Q. (By Mr. Etling) Did you get this information prior to the time you accepted the position? A. Yes sir, before I began the work. I thought if there was any question of public policy I did not care to complicate myself or the state in any way. Before Mr. McGhee gave that opinion we went to the state auditor first and he referred us to the attorney general and said it was a question for the attorney general to decide, but that fact as I explained, that the vouchers would pass through the auditor's hands I thought he would likely know.

Q. (By Mr. Williams) Mr. Brown, would like to ask you a question, it may not be material. A. I should be glad to answer any question.

Q. But would you care to state the reason why you discussed the proposition? A. Yes sir. Because the question was raised whether or not it was a case of public policy and the question was first brought to my attention because it was being raised by political parties over the state and I did not care to become involved in it.

(COPY)

COLUMBUS, November 17, 1911.

OPINION.

HON A. P. SANDLES,

*Secretary, Department of Agriculture,
Columbus, Ohio.*

DEAR SIR:

I beg to acknowledge receipt of your letter of November 1st, wherein you inquire as follows:

"Please advise if there is any legal objection to the Ohio State Board of Agriculture appointing and compensating a member of the Ohio Legislature, a farmer institute lecturer."

In reply thereto I desire to say that Section 4 of Article II of the Constitution of Ohio provides as follows:

"No person holding office under authority of the United States, or any lucrative office under the authority of this state, shall be eligible to, or have a seat in, the general assembly; but this provision shall not extend to township officers, justices of the peace, notaries public, or officers of the militia."

The question presented by you is whether or not a lecturer at a Farmers' Institute, appointed and compensated by the Ohio State Board of Agriculture, is an officer coming within any of the provisions of Section 4 of Article II of the Constitution, above quoted. In my opinion, such lecturer, so appointed by the Ohio State Board of Agriculture, is not an officer at all; he is merely an employe. There is, therefore, no legal objection to the Ohio State Board of Agriculture appointing and compensating a member of the Ohio Legislature as a farmer institute lecturer.

Very truly yours,

(Signed) TIMOTHY HOGAN,
Attorney General.

MR. DISER.

The witness being produced and duly sworn testified as follows :

EXAMINED BY MR. KRAMER.

Mr. Diser makes the following statement under oath to the Investigation Committee :

Gentlemen of the committee, on account of the peculiar position which I am in with reference to the matter which you have for consideration, in that I first brought the matter to the attention of the House in such form that it could be considered, I am going to ask to be allowed to give you the matter in the way the same came to my attention.

Since I have been charged with everything under the sun both on the floor of the House and outside, what I have to say will be along the line to give you the information you desire.

During the summer, when the short ballot was up before the people of Ohio I was out over the state in connection with several articles of the short ballot with which I was not in sympathy and this was brought to my attention. Mr. Donahey who was at that time on the same side as I was and Mayo Fesler of Cleveland had some sort of altercation with the attorney general and made charges first that Mr. Robert Black of Hamilton County was unlawfully and illegally employed in the state banking department with the knowledge and consent of the Governor.

Later on they brought in names of other members. I received a letter from Senator Friebolin in which he sent to me a little petition against one other and asking me to represent the banking department in Youngstown and safeguard the people. I thought the matter over carefully and said to him that I did not think I cared to subject myself to the same criticism as some others but if he so desired, I would submit it to some local attorney. I might say my reason for mentioning this is I want to make a full statement and set at rest certain stories that are going around the state house. He replied that he would be pleased if I would refer him to an attorney which I did, one Mr. Paul J. Jones.

The other day in the House an inkling came to me that certain members were charging me with having handled this matter and gentlemen if at any time you should have this question brought to you I want you to call Senator Friebolin and ask him.

I then drew up the resolutions and I personally took the responsibility for them. No one, in the Democratic committee nor any other committee knew anything about them neither did they originate, notwithstanding rumors to the contrary, and statement made on the floor of the house that this was done from an ulterior motive on my part.

These resolutions were prepared under the second section of the Constitution, Article 2, section 31 reading as follows :

"The members and officers of the general assembly shall receive a fixed compensation, to be prescribed by law, and no other allowance or perquisites, either in payment of postage or otherwise: and no change in their compensation shall take effect during their term of office."

Now to you gentlemen of the committee, I ask your consideration to start with. When the members of this constitution wrote these two articles into it they believed they fully guarded certain proprieties. That was to keep members of the Legislature from any outside influence, that is section 4 of Article 2 and section 31 of article 2 fully protected every

man who occupied a seat in the legislature so that he could not be influenced in the charging of any office or emolument or in any way affecting his deliberate vote. This is the object of making the provision prohibiting them from accepting any township office. I challenge any man to question my right as a member of the House, under these three articles, to bring these resolutions before you. I make no charges. I have not charged anything. These charges have been made by others and it would have been perfectly proper for Mr. Warnes or Mr. Black, Mr. Hoffman or Mr. Orrison to have introduced these resolutions and requested an investigation as to the truth of the charges. The legislature and constitution have provided that the legislature is the judge of its own membership and it is not for the committee to prove the innocence or guilt of these men. It is only their duty to investigate the charges brought before them. I am not referring to Mr. Black. I understood he took this up . . .

Q. (By Mr. Kramer). As far as the law is concerned, we would prefer that you not give us any information we . . . A. I do not believe it is giving me a fair show not to let me tell you what I know in this matter. There is only one thing that is before you. Members of the 80th General Assembly have been charged with violating article 2, section 4 and article 2 section 31. When I came to you this evening I want to say to you that this is not done on any personal grounds. No one has told me that Mr. Warnes, Mr. Orrison, Mr. Black or Mr. Hoffman have deliberately violated a law in acting as members of the 80th General Assembly. Nor that they have done anything that has not been done before. I have the proofs that they have been employes of the state since becoming members of the 80th General Assembly. I do not charge these men so flagrantly with having violated the constitution but I have charged the administration of the state with nothing more or less than bribery. . . .

Q. (Mr. Kramer). I want to ask if this has reference to the argument. A. I am through with what I want to get before you it is that the administration is just as much at fault in matters of this kind as if they came to me and said, "We will deliver you property of value", and I charge that in all sincerity because I believe the facts will all bear me out. I am going to give you the details that I have. Call Mr. Miller secretary of the state bank examiner and make him tell you what he knows his title of assistant state bank examiner.

Q. So that is his title? A. Yes. I next desire you to hear about the liquidation of the bank at Beach City on a salary compensation. I will ask you to call Joe Boyle to testify what he knows. I next desire you to have placed before the committee the facts that Mr. Warnes . . .

Q. We do not want accusations made . . . A. I do not think you understand me. Mr. Warnes came to Youngstown on several different occasions and told me he was an employe of the state on the referendum. I asked him what he was getting and he gave me no particular answer. I would like to have you find out from the contingency fund of the Governor what Mr. Warnes received. He investigated in Trumbull, Stark, Mahoning and Summit counties. As I said, this did not go through the auditor's office. You would have to go to the contingency fund to get it.

Q. (By Mr. Etling). Do you know that he was paid from the contingency fund? A. No, he did not tell me so. I have a letter here that I want to show you . . . Q. We do not want to hear the letter.

A. I do not think that would be fair to me I can not charge him personally. Two letters were then submitted as exhibits "A1" and "B2". I would further request that you call Mr. Lawrence Brennan, member of the House from Cuyahoga County and question him in regard to whether or not he was employed by the Liquor License Board and on the city pay roll. I have further information that Mr. Vollmer was employed in the same capacity as Mr. Hoffman by the state labor commissioner. Ask Mr. Lang. In regard to Louis Capelle, I have his statement that he has been appointed assistant prosecuting attorney but that he has received no salary. If you desire to investigate you will only have to call his city officials. I do not know if this information came before you through the papers but Mr. Swain was city solicitor for some village in Hamilton county. Ask Mr. Black of Wyandot in regard to his employment under the state penitentiary commission. In regard to Mr. Hoffman the State Labor Commissioner should be called and asked to give his information in regard to his employment from June first to August 15, to collect statistics for which he was paid \$100.00 per month. I think this is one of the few things that went through the auditor's office. Mr. Hoffman was also employed with reference to the referendum matters and I would ask you to ask him about the same things as you do Mr. Warnes if it came out of the contingency fund . . . Mr. Orrison . . . I understand that he testified that he was employed but had tendered his resignation at the time of taking his seat in the House and resumed his duties after the session. I was called on business to the secretary of state's office the latter part of May or the first of June and instead of being employed as chauffeur clerk Mr. Orrison was seated at a desk in the front office and filling out corporation papers at a very good salary. I do not know what the testimony was but I understand it was \$1,350.00. As to Mr. Black of Hamilton, I ask you to call Mr. Emory Lattanner, superintendent of banks to give information regarding his employment. Call the Governor of Ohio and question him as to whether or not this appointment was made with his knowledge and consent. . . .

Q. Now Mr. Diser we don't want. . . . A. You want me to give here what I know in reference to Mr. Black but I do not know how you can intelligently question them unless you let me tell you where this information can be found. You told me the other day Mr. Kramer that you wanted all the information I had.

Q. We do I want you to give all the information you have first hand. . . . A. I want to say that Mr. Kramer told me Friday that he wanted me before the committee to tell all I knew and I told him that was my intention. I was going to say I requested you to call the Governor and. . . . I will not put in that way. . . . but prove by him that the appointment of Mr. Black was approved by himself. I would also like to have Mr. Lattanner subpoenaed and ask him the same question. Then I will ask you to call Mr. Brown of Ashland, in regard to whether or not he was employed after his return from Europe by the Agricultural Commission and whether or not Mr. Hogan rendered the opinion which Mr. Donahey, State Auditor told him must be rendered before he, Mr. Donahey would honor any of the vouchers of Mr. Brown in the Agricultural department. I do not know whether this was given but it was requested and I would like if you would call Mr. Black of Hamilton, and have him advise regarding his connection with the banking department. Would suggest that you call the attorney general and have him give you his opinion. I would like to have Mr. Donahey subpoenaed and

asked to render the committee a statement of money paid by him during 1913 to the members of the legislature. I think Mr. Donahey will prepare this without any trouble. I would ask that you have brought before you the books of the different departments with vouchers together with the books of the contingency fund which will show the payments of large sums of money. Now I presume from what Mr. Kramer the chairman, has said that your committee does not care to hear from me on anything except the evidence in the matter. If that is your idea, all right.

Q. We would like to know if you have any other first hand evidence. A. No, I have given you all I have first hand in regard to the matter.

EXHIBIT 1.

REP. DISER:

Please extend to your list Senator Cunningham, Knox County, also Rep. Brown, of Ashland, sent to Europe on a trip for their vote last sessions on a certain bill. The Governor in that case to put them on the Farm Commission.

CITIZEN.

EXHIBIT 2.

CLEVELAND, OHIO, January 23, 1914.

HON. O. E. DISER,

DEAR SIR:—Since you introduced a resolution to investigate the right for a member to hold his seat in the legislature where he received pay for other services rendered others than a member of the house, I wish to call your attention to Lawrence Brennan of Cuyahoga County, who served as an inspector for the Cuyahoga County Liquor License Commission, and I think you will find his name on the City Pay Roll in the last year. I fully approve your stand and ought to look after.

Respectfully yours,

A CITIZEN FROM CUYAHOGA COUNTY.

MR. BLACK, OF WYANDOT.

The witness being produced and duly sworn testified as follows:

EXAMINED BY MR. KRAMER.

Q. Your name, Mr. Black is Samuel Black and you represent Wyandot county in the 80th General Assembly? A. I do.

Q. Your duties began January 1, 1913, and they will continue until December 31, 1914? A. Yes, sir.

Q. You are still serving as a member of the House? A. I am.

Q. And have been since January 1, 1913? A. I have.

Q. Now, Mr. Black, state to the committee whether from the first day of January, 1913, up until the present time you have had any employment under any commission or board or department of the state other than that of representative in the 80th General Assembly. A. I would like to ask you what construction you put on the word employment.

Q. Did you serve in any commission or A. I served on the Ohio Penitentiary Commission without compensation, I was not employed.

Q. Mr. Black, can you tell the committee about when you took your position as secretary of this commission? A. I believe August.

Q. Of what year? A. 1913.

Q. You took your position by virtue of a law that was passed in the 80th General Assembly? A. Yes, sir.

Q. Now, Mr. Black, state to the committee what the nature of your services were. A. The bill provides that meetings be held in Columbus, there were eight or ten held here, and that the commission shall go about over the state looking for a prison site. I was personally sent by the commission once or twice to get information regarding the work in addition to my regular work as secretary when the commission met.

Q. Who formed the commission? A. Mr. J. A. Leonard, superintendent of Mansfield Reformatory, Dr. A. F. Shepard, Mr. W. A. Greenlund and Harris R. Cooley.

Q. Of these members of the committee, which ones could the committee most readily get? A. Dr. A. F. Shepard of the Board of Administration.

Q. Is the committee still in existence? A. Yes, the law provides that it shall continue until the plans and specifications have been drawn up for the actual building.

Q. State whether or not you are still acting as secretary? A. I am.

Q. State to the committee whether you have been performing any service for the commission as secretary since the 19th day of January. A. No, I have not.

Q. Now, Mr. Black, I think that you have answered it but we would like to have it again. State to the committee what compensation you received. A. I received no compensation.

Q. You received your traveling expenses? A. Yes.

Q. State to the committee whether you performed any services to the state or any department of the state other than the services you have outlined. A. None whatsoever.

Q. State to the committee whether you drew any public money other than that which you have drawn for traveling expenses and salary you received by being a member of the 80th General Assembly until now. A. None whatsoever.

Q. Could you suggest any one else that could give us information in reference to your employment other than Dr. Shepard or other members of the committee. A. I think they are the only ones that are in touch with it.

Q. (By Mr. Williams). Can you suggest, Mr. Black, the fund out of which the traveling expenses were paid? A. There was an appropriation of \$250,000.00 made to be used in paying the expense of the commission while searching for a site for the new penitentiary.

Q. And the vouchers which would show the traveling expenses would be where? A. In the auditor's office.

Q. Mr. Black, can you quote the section of the law under which you served on this commission? A. Section 2 of the. I don't quite remember but it says the Governor shall appoint a secretary to the commission who shall serve without compensation.

Q. Have you any further statement to make? A. None.

MR. CAPELLE, OF HAMILTON.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

- Q. Your name is Louis H. Capelle? A. Yes, sir.
- Q. You are a member of the 80th General Assembly? A. Yes.
- Q. You began your duties as such on the first day of January, 1913? A. Yes, sir.
- Q. Your term will expire the 31st day of December, 1914? A. Yes.
- Q. You are still serving as a member of the General Assembly? A. Yes.
- Q. And have been serving as member of the 80th General Assembly since the first day of January, 1913, continuously? A. Yes, sir.
- Q. You are a member from Hamilton county? A. Yes, sir.
- Q. Now, Mr. Capelle, state to the committee whether from the first day of January, 1913, until the present time you have held any position which would come under the state government or under any department of the state government other than the position of representative.
- A. On January 1, 1914, owing to the additional duties devolving on the city prosecuting attorney, it was necessary in Hamilton county to appoint an assistant to take care of taxation matters. I was offered the position which is assistant prosecutor in the civil department. Before accepting the position there had been the question raised as to members of the legislature accepting two positions. I called on Mr. Hogan and he stated to me that while it was not a violation of the law it was of the spirit of the law and he thought advisable not to do it. I wanted to resign from the Legislature but after talking the matter over thought it advisable because I was the only Republican from Hamilton county not to do so. The law does not prohibit members of the legislature from seeking other employment. I therefore decided that while the legislature was in session I would not draw any compensation from the city and do not intend to accept any while the legislature is in session.
- Q. The position as assistant prosecutor was under the city, under the Republican city prosecutor? A. Yes.
- Q. State whether you have held any position in any other state department. A. No, absolutely none. My politics would prohibit that.
- Q. But would permit it in Hamilton county? A. Yes. God bless Hamilton county.
- Q. State a little more fully what your duties were as assistant prosecuting attorney. A. I don't understand.
- Q. State what you did. A. I was only employed in the tax department and with tax matters particularly under the new Warnes law there had to be legal advice to assessors and these duties were about over when the taxes were all collected. The fact of the matter is there is nothing now, practically no work to be done.
- Q. So you came to your position by virtue of the law that was enacted in the first session? A. No. There was need of another assistant, there were only two assistants and the work was too much.
- Q. State to the committee whether you performed any services as prosecuting attorney. A. I did until the 15th of the month (January). I filed several taxation *claims* and forced sales.

Q. State whether since January 19, 1914, you performed any services as assistant prosecuting attorney. A. No.

Q. State to the committee again whether you received any compensation at all for the services you rendered as prosecuting attorney. A. No.

Q. State to the committee when you began your services. A. I was to have begun them the first of the year 1914. There had been no work to amount to anything before this time.

Q. Who is prosecuting attorney? A. Thomas L. Pogue.

Q. So the position that you had is the only one that you have held other than a member of the house since January 1, 1913? A. Yes.

Q. And give us as near as you can the nature of your work as assistant prosecuting attorney. A. I was special assistant prosecuting attorney. The prosecuting attorney makes application to the common pleas court judge for money sufficient to run his office the following year and can appoint his own assistants.

Q. Did you draw anything from the county treasurer for expenses? A. No, had no expenses none.

Q. (By Mr. Williams). What is the pay of assistant prosecuting attorney? A. About \$200.00 per month.

Q. Is that the usual salary basis? A. I believe so. I am not sure.

Q. Will you draw a salary for what you have done later on when the legislature is out? A. No.

Q. Do you consider yourself a special prosecuting attorney down there? You have performed no services.

A. No, I have not. I feel this way. I want to put it up to the committee. I feel this way about it I would if necessary give up my position down there to carry out my position in the legislature and I was going to do it. That is the reason I felt called upon to take it up with the attorney general. Whatever the committee decides is satisfactory with me. A similar case was decided in the supreme court of Ohio 61st Ohio State, page 62.

MR. LAWRENCE BRENNAN.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

Q. Mr. Brennan you may state your name to the stenographer. A. Lawrence Brennan.

Q. You are a member of the 80th General Assembly and came from Cuyahoga county? A. Yes sir.

Q. Will you state to the committee whether or not you have performed any service for the state government or any subdivision thereof other than your services as member of the 80th General Assembly? A. I served in the capacity of inspector for the liquor license board for about five weeks.

Q. When was that Mr. Brennan? A. In October or November.

Q. Of this year? A. 1913.

Q. To whom did you go to get your position? A. Did not get no position. The report has to be gotten in in so many days and they put out special men to get it.

Q. State to the committee what your duties were. A. My duty was to go out and look after saloons and recommend whether or not they should have licenses, what kind of people they were and make up a report filling in everything.

Q. What was the compensation attached? A. Do not receive regular salary but got \$111.00 for the work.

Q. Have you served in any other capacity than that which you have mentioned. A. No.

Q. How were you paid? A. By vouchers.

Q. These vouchers were signed by whom? A. Secretary of State, Auditor of State and Treasurer.

Q. In your opinion the record would be at the auditor's office? A. I should think so.

Q. Do you care to make any statement? A. Nothing further than the reason I served was an emergency and the work had to be done within a certain time.

Q. Who sent for you? A. Horn and Krause.

Q. Who are they? A. Members of the committee.

Q. Do you mean the committee of Cuyahoga county? A. Yes, the liquor license committee of Cuyahoga county.

Q. How many days did you work? A. I don't know. I drew \$111.00. I know I helped them a good deal more than I got paid for they did not have the money and I worked there ten days without any compensation.

Q. (By Mr. Williams)—Prior to November 24, 1913? A. Yes.

MR. ROBERT BLACK.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER, PRESIDENT.

Q. Your name I believe is Robert Black? A. Yes sir, Robert Black.

Q. You are a member of the 80th General Assembly? A. Yes sir.

Q. You are a representative from Hamilton County? A. Yes sir.

Q. Your term as representative began the first day of January, 1913? A. Yes sir.

Q. And would expire the 31st day of December, 1914? A. Yes sir.

Q. You have during the time from the first day of January, 1913, up to the present time been holding your position as representative? A. Yes sir.

Q. Are at the present time? A. Yes sir.

Q. Now Mr. Black, outside of the position of representative of the 80th General Assembly, state to the committee whether you have been holding any other position of any kind from the time you were elected to take your seat as representative up to the present time. A. I ask that the question be made more specific.

Q. State to the committee whether you have done any work for any other department of state other than your work as representative.

A. I make the statement that the only work that I have done in connection with any department of state has been representing the depositors of certain banks taken possession of by the department of banks for the purpose of liquidation and further that I have done no work for or in any official capacity under any department of state nor have I been an employe of any department of state nor of any state, county or city office or officers and that all work that I have done has been done as an attorney at law representing the depositors of failed state banks being liquidated.

Q. The work that you have outlined as being done by you, you have done it under whose authority? A. The work that I did do was under section 742-2 of the General Code. I came to do it in this manner, that any legal question arising out of the adjustment of the affairs of a failed state bank would be referred to me by the superintendent of banks and the work would be done under the direction and control of the Court of Common Pleas of the county in which such bank would be located and would be paid for out of the assets of such bank under the order of the Court of Common Pleas of such county.

Q. Before you would take up your work as outlined, who would give you authority to undertake it? A. The superintendent of banks.

Q. Now, Mr. Black, for how many banks have you acted as attorney? A. Columbus Savings & Trust Co., Metropolitan Bank & Trust Co.

Q. (By Mr. Williams). Of Columbus? A. No sir, of Cincinnati Guarantee Savings & Deposit Co. of Mt. Vernon, Beach City Bank of Beach City, Murray City Bank of Murray City, Albany State Bank of Albany. I believe that comprises the list of all the banks which have been handled that way in charge of the state. I have done a great deal of legal work for other banks that never were in charge of the state.

Q. In these other banks that you suggest you were employed by A. By the superintendent of Insurance.

Q. Under whose orders in the capacity of attorney did you act or did you act for yourself? A. I acted for the superintendent of banks for the depositors of the banks as their attorney. The general purpose was to reduce the assets of the banks to money and distribute it. The matter was more strictly under the court of Common Pleas than anything else as nothing could be done without it being under the direction of the Court of Common Pleas.

Q. State to the committee for how long, if for a definite time, you were employed. A. Well, my employment was not regular, casual like any other legal matter. I had office in Cincinnati and took the matters up as they came in. I believe the first matter taken up was some time in May of last year.

Q. Was the first employment you had after the adjournment of the first session of the General Assembly? A. About 30 days after.

Q. State to the committee whether you are employed in the capacity of attorney for any of these banks. A. I represent the Metropolitan Bank in one pending law suit.

Q. How many of the banks that you have named that are in the process of liquidation still? A. They are all completed with the exception of the Columbus Savings & Trust Company. There is just one or two loose matters in the bank to be straightened up. Practically all the assets except of the Columbus Savings & Trust Company have been distributed to the depositors.

Q. State to the committee whether you have done anything since the 19th of January this year in reference to closing up the affairs of banks. A. I have not.

Q. Mr. Black, from whom would you get your pay as attorney in the liquidation of a bank? Please describe the process. A. I would conclude a matter and render a bill for services to the bank; the amount would be approved or reduced by the superintendent of banks and then presented to the Court of Common Pleas and they would either approve the amount and order it paid or reduce it and I would be paid out of the assets of the bank, the bill approved in this fashion. Sometimes I would render a bill before the matter was concluded but it would be approved and paid in the same manner.

Q. That is, out of the funds of the bank? A. Out of the funds of the bank under the approval of the superintendent of banks, yes. The statute says he shall fix the amount of compensation and the amount as fixed, shall be approved and ordered paid by the Court of Common Pleas. I want to amend my statement by adding the Bank of Amherst, Amherst, to the list.

Q. Could you state to the committee how much money, which I believe is within the scope of the investigation, how much you have received? A. I can not state with any degree of accuracy but I should say the amount would be in the neighborhood of two thousand dollars.

Q. From these different banks you represented as attorney? A. Yes sir. The practice had been prior to my making these investigations to employ different counsel in each city and in which manner the legal expenses were very large and it was thought an economy might be practiced by concentrating the work to one man and paying him a less amount on each matter than would be paid on several matters to several attorneys and as a matter of fact, I believe it much reduced the expenses as we had a man at a salary of \$250 per month for the Columbus Savings & Trust and another at \$400 for the Metropolitan and so on for the different ones. That is the way the matter happened to be taken up.

Q. When you employed an assistant would it be allowed out of the funds of the bank? A. I only employed an assistant in the case of the Beach City Bank and there we had an assistant counsel to take some judgments, other than that I did the work.

Q. Could you tell us where we would find a record of your employment, that is as to the work you did, the time you put in, and the money you received for the work? A. Of the judges of the Court of Common Pleas of Franklin, Hamilton, Lorain, Knox, Stark and Logan Counties.

Q. Would the receipts of the superintendent of banks show the amount of money allowed you for each particular piece of work? A. The record of the liquidation of each bank ought to show that amount but the reason I referred to the journal records become scattered after banks are closed up and the court records are intact. I wish to further supplement the list by adding the Bank of Osborn, Osborn, Ohio, and the record of the journal of Geneva County. In liquidating the affairs of a bank as the journal entry is docketed the page of the docket is mentioned as the motion proceeds, and all expenditures of money were included in their chronological sequence in that one procedure. In the case of the Osborn bank the amount of fees I charged were contested by some of the depositors of the bank and the question tried.

Q. Did you have a specific contract with the superintendent of

banks as to the amount you received to perform the work? A. I performed the work and put in a bill, I did not have all the work.

Q. You state your employment was not for any particular time but was brought to your attention by the Superintendent of Banks? A. Yes sir.

Q. Is there any other section that would show the . . . nature of employment? A. If you will get Vol. 1 of the General Code I will read the section. Now the fact was that the Liquidation Department was in very bad shape in May and I think I began in June.

Q. Would you care to state, Mr. Black, whether you had any particular training that would warrant the Superintendent of Banks in selecting you rather than any other person for the position? A. My practice had been for a great many years in defending and bringing suits with reference to paper.

Q. Commercial paper? A. Yes sir.

Q. I would like to ask one other question. Did the Superintendent of Banks seek your services or did you rather look for the service? A. No, the work was offered me by the Superintendent, I had never met him until I went to see him on other matters.

Q. You would state Mr. Black that approximately the amount you received was something like \$2000.00 or \$2500.00? A. Yes sir, \$2000.00 or \$2,500.00. Section 742-2 and 742-4 reads as follows: "Upon taking possession of the property and business of such corporation, company, society or association, the superintendent of banks is authorized to collect money due to such corporation, company, society or association, and do such other acts as are necessary to preserve its assets and business, and shall proceed to liquidate the affairs thereof, as hereinafter provided. The superintendent of banks shall collect all debts due and claims belonging to it, and upon the order of the common pleas court in and for the county in which the office of such corporation, company, society or association was located, may sell or compound all bad or doubtful debts, and on like order may sell all the real estate and personal property of such corporation, company, society or association, on such terms as the court shall direct; and the superintendent of banks upon the terms of sale or compromise directed by the court, shall execute and deliver to the purchaser of such real or personal property, such deeds or instruments as shall be necessary to evidence the passing of the title; and if said real estate is situated outside the county in which the office of the corporation, company, society or association, was located, a certified copy of such order authorizing and ratifying said sale shall be filed in the office of the recorder of the county within which said property is situated; and may, if necessary to pay the debts of such corporation, company, society or association, enforce the individual liability, if any, of the stockholders. The superintendent of banks may under his hand and official seal appoint one or more special deputy superintendents of banks as agent or agents, to assist him in the duty of liquidation and distribution,—a certificate of appointment to be filed in the office of the superintendent of banks and a certified copy in the office of the clerk of the county in which the office of such corporation, company, society or association was located. The superintendent of banks shall require from such agent or agents such surety for the faithful discharge of their duties as he may deem proper. Sec. 742-4. The expenses incurred by the superintendent of banks in the liquidation of any bank in accordance with the provisions of this act, shall include the expenses of deputy or assistants, clerks and examiners

employed in such liquidation, together with reasonable attorney fees for counsel employed by said superintendents of banks in the course of such liquidation. Such compensation of counsel, of deputies or assistants, clerks, and examiners in the liquidation of any corporation, company, and examiners in the liquidation of any corporation, company, society or association, and all expenses of supervision and liquidation shall be fixed by the superintendent of banks, subject to the approval of the common pleas court of the county in which the office of such corporation, company, society or association was located, on notice to such corporation, company, society or association. The expense of such liquidation shall be paid out of the property of such corporation, company, society or association in the hands of said superintendent of banks, and such expenses shall be a valid charge against the property in the hands of said superintendent of banks and shall be paid first, in the order of priority." I might say that I have been for some years off and on an employe of Mr. John W. Peck of Peck, Shafer and Peck of Cincinnati, in litigations arising out of accounts of commercial paper.

Q. Did you have any official title? A. I was called special counsel.

Q. You state you had no particular tenure of office? A. No, neither tenure or office.

Q. State to the committee whether you could have been discharged or relieved. A. At any time.

Q. By whom? A. By the superintendent of banks, my relation was no different from that of any other attorney, I was employed to sustain or resist claims and could have been dismissed or discharged at any time just as any other attorney in any other suit.

Q. (By Mr. Williams) State to the committee, please, whether or not in September, October or November last you performed any duties in the capacity in which you claim. A. I was about through by the 15th of September except that there were one or two matters that were hanging over, one or two little details.

Q. They were completed later on? A. Yes sir.

Q. Would you state whether or not you had been in the employ of the attorney general? A. I would state I have not been doing this any of the time. I would like the records to show this also that I have drawn no compensation from the treasurer or funds or revenue or money payable to the state other than my salary as representative and mileage as such.

Q. As representative? A. As representative. I would like the records to show further that I have done no work either clerical or otherwise except those heretofore stated.

Q. In connection with that have you drawn any county funds? You said state.

A. I would make that include any sub-division thereof, either county, city or state.

Q. Outside of the employment you have outlined to the committee, you want us to understand that you have not been employed in any capacity by the state or any sub-division thereof. A. I have not.

The committee was then asked if any further questions were in mind and Mr. Black expressed his willingness to come before the committee at any future time if needed or wanted.

SUPPLEMENTARY TESTIMONY OF ROBERT BLACK, OF HAMILTON COUNTY.

The witness being produced and duly sworn made the following statement:

I want to make a statement based on my previous testimony and Mr. Lattanner's report that when I stated to the committee the amount of compensation I received I did not intend to state the amount of any sums received by me in repayment of actual expenses necessitated in attending to the business of the several banks, and it would be utterly impossible for me to have given any estimate of the amount as at the end of each trip my expenses were immediately paid.

My attention was not directed to the matter at the time of my previous testimony for the reason that no question was asked in regard to it and therefore in my previous testimony the question of expenses were not referred to.

And further qualification is that in calculating the amount I received I did not include the amount paid on account of the Bank of Fayette or the West Side Dime Savings Bank as neither of these banks were liquidated under the statute but were closed up by private contract though in conjunction and with the knowledge and consent of the Banking Department and the expenses paid were not paid out of deposits in the bank but by the parties interested in making the private adjustment.

In both of these banks the depositors were paid in full and within a few days after the institution closed and by deducting the amount of expenses incurred as stated in the first place the amount received by me was approximately \$2,500.00, which was the amount stated in my first testimony.

Q. (By Mr. Kramer). Will ask you one question in regard to the matter so the committee is clear. You would state approximately the amount received was \$2,000.00 or \$2,500.00? A. Approximately \$2,000.00 or \$2,500.00.

Q. (By Mr. Williams). That was compensation not including expenses. A. Yes, approximately.

MR. GUTHERY.

EXAMINATION BY MR. KRAMER.

Q. Inasmuch as you filed the resolutions that were finally adopted by the House and under which we are now acting, we thought it well to call you before the committee and ask you whether you have any source to which you could refer the committee or whether you have any evidence you wish to submit to the committee. A. Nothing, the object that I had in being present was in justice to Mr. Diser and if as Mr. Diser stated this was contrary to the Constitution the people should know about it and give the committee wider scope and find if possible, a remedy.

MR. HORWICK.

The witness being produced and duly sworn, testified as follows:

Q. You may state your name to the stenographer. A. J. M. Horwick.

Q. Mr. Horwick, you live in Columbus? A. Yes, sir.

Q. What is your employment? Where do you work? A. Recording clerk in Secretary of State's office.

Q. What are your duties? A. To record bonds.....

Q. How long have you been employed there? A. Since January 1, 1911.

Q. Mr. Horwick, I want to ask you if you signed a bond or had any such transaction with Mr. Warnes for the state banking department. A. I filed a bond for Mr. Warnes on the sixth day of October, 1913.

Q. What did the bond cover? Have you the bond with you? A. I have it with me, yes.

Q. Do you know whether you could leave the bond with us? A. No, my instructions were to return the bond to the safe.

Q. State to the committee just what the bond covers. A. The condition of the bond is that the holder of this bond is bonded with the National Surety Company is bonded to the sum of twenty-five thousand dollars for the above sum under the conditions and for the position above stated which is special deputy superintendent to act in the liquidation of the Citizens' bank.

Q. By whom is this signed. A. By the National Surety Company and Milton A. Warnes.

Q. Now Mr. Horwick, do you have any information as to any of the matters that have passed through your office in reference to Mr. Warnes? A. This is the only bond filed by Mr. Warnes in our department, since January 12, 1911.

Q. Do you know anything of any other paper? A. No. (Interruption by Mr. Warnes). A charge was made which I desire to refute. I want you to understand that I was special deputy in the liquidation of the Citizens' Bank.

Q. (By Mr. Williams). I do not understand that you gave the date of the bond and the time it was to cover. A. I might read the bond again. It reads that Milton A. Warnes shall, during the term of his office be bonded and while in office same shall remain in effect.

Q. When does this bond go into effect? A. It is dated October first.

Q. It does not specify the time? A. No it is merely dated October first, 1913.

MR. SHEARER.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

Q. Your name is James A. Shearer? A. Yes, sir.

Q. You are a resident of Columbus? A. Yes, sir.

Q. State to the committee what position, if any you hold in Columbus. A. Registrar of automobiles.

Q. How long have you been registrar of automobiles? A. Since January, 1911.

Q. Under whom or what department of government are you employed? A. Secretary of State.

Q. Mr. Shearer, state to the committee whether you have made any investigation of the records of your office or if you recollect having any relations with Mr. Warnes. A. I made the investigation and Mr. Warnes was employed by our department.

Q. From your investigations, Mr. Shearer, state to the committee the date at which Mr. Warnes began his services under your department. A. July 15, 1913.

Q. And from your records when did his services under your department cease? A. At the close of the month of August. He worked up until the first of September, a month and a half.

Q. Then from your knowledge, that is the knowledge you get from the record in your office, what were Mr. Warnes' duties? A. He was automobile inspector to detect the violation of the automobile law.

Q. In what way? A. To look up people who were not registering their cars.

Q. Was Mr. Warnes employed by you? A. The secretary of state does the hiring.

Q. Now, Mr. Shearer, from your investigation of the records in your office, state to the committee whether Mr. Warnes drew any money from the department during the time he was rendering these services. A. He did.

Q. State to the committee the total amount of money Mr. Warnes drew during this time. A. \$292.60.

Q. Now Mr. Shearer does your record show anything as to what this money was paid for? A. For salary and traveling expenses and hotel bill and living expenses as he travelled.

Q. According to your records in your office state to the committee if you can the dates on which Mr. Warnes drew the amount to make up the total. A. On July 30, he drew \$50.00; on August 15, he drew \$50.00; on September 1, he drew \$50.00; traveling expenses \$142.60. I have neglected to put the dates of the vouchers for traveling expenses.

Q. The total amount of his traveling expenses was \$142.60? A. Yes, sir.

Q. Was it all drawn in one amount? A. You mean his traveling expenses? Yes, a separate voucher.

Q. Do you know from your records, Mr. Shearer, what the payment of \$50.00 you made was for? A. Salary.

Q. What is it? A. Salary.

Q. State to the committee whether the amounts you have given us, the total of which is \$292.60, whether that is the total amount of money Mr. Warnes drew from the automobile department from January 1, 1913, up to the present time. A. Yes. The total amount of his payment from our department.

Q. And the time from July 15th, 1913, to September 1, 1913, covers the time, all the time that he served under that department? A. Yes, sir.

Q. (By Mr. Williams). Do you know the section under which these payments are made? A. Well yes, section 6309 of the General Code.

Q. (By Mr. Kramer). State to the committee whether Charles Orrison of this city has been in the service of the automobile department

in any way during the time you have been there. A. Part of the time yes.

Q. Do you know when Mr. Orrison began his duties about..... approximately? A. My best recollection is.....I may not be correct but I think April, 1911.

Q. April, 1911. I want to ask you whether Mr. Orrison, well first what were the duties of Mr. Orrison in your department? A. Chauffeur clerk.

Q. What were the duties of Mr. Orrison in your department? A. Chauffeur clerk.

Q. What did he have to do? A. Licensing and registering chauffeurs, issuing licenses.

Q. How long after April 1, 1911, or approximately that date..... how long after that did Mr. Orrison serve in the automobile department? A. Until the Legislature convened.

Q. Would you know the date? A. Not exactly but it seems along about the first of January.

Q. What year? A. 1913.

Q. State Mr. Shearer, to the committee whether Mr. Orrison during the first session of the legislature drew any money from the automobile department. A. None whatever.

Q. At the close of the first session did Mr. Orrison perform any services for the department? A. After the legislature adjourned he did.

Q. State whether he is now in the service of the automobile department. A. He is not.

Q. State whether he has been since the beginning of the present session. A. No, he has not.

Q. State whether he drew any money from the automobile department during the first session of the legislature. A. You mean whether he drew any money while the legislature was in session? No, he did not.

Q. Has he drawn any pay while the present session is going on? A. No, sir.

Q. You might state Mr. Shearer, whether during the first session he rendered any service in the automobile department. A. Yes, he did, sometimes on Saturdays and sometimes of nights.

Q. But for that you say he drew no pay? A. No, none whatever.

Q. What is Mr. Orrison's salary? A. \$112.50 per month.

Q. You did not employ him? Who employed him? A. The secretary of state.

Q. (By Mr. Williams). Do you know whether or not in the nature of the employment, it is necessary for the appointment to be approved by any one? A. I think not, it is up to secretary of state.

Q. I understand you to say that Mr. Orrison had rendered services during the session for which he received no compensation? A. He did not.

Q. State whether he will receive compensation for this service. A. He will not.

Q. With reference to Mr. Warnes, do you know whether or not his appointment had to be approved by any office? A. I think not. I do not know positively, I only know this, Mr. Williams, that the secretary of state has full authority to chose his appointees without any interference from any other source.

MR. FINLEY.

The witness being produced and duly sworn, testified as follows:

EXAMINATION BY MR. KRAMER.

Q. Your name is W. L. Finley? A. Yes.

Q. You are chairman of the Democratic executive committee? A. Of Ohio I am, yes.

Q. I want to ask you whether you remember in the summer or fall of 1913, to have had any relations with Milton A. Warnes of Holmes County in reference to the question of referendum petitions? A. I did.

Q. Would you state to the committee what your relations was in regard to that matter? A. Not different from that between many others and myself except that Mr. Warnes being the author of the bill, I naturally asked him to get busy and make reports which he did. He made frequent reports from Mahoning, Stark and other counties in the north-west portion of the state and made reports each week.

Q. For his services there, did he do it at your suggestion, do you know if he drew any pay? A. None to my knowledge.

Q. Did you O. K. any expense accounts or anything of the kind? A. I did not.

Q. So far as your knowledge goes he drew nothing for salary? A. So far as I know he did not.

Q. Do you know how long Mr. Warnes was at the matter? A. No, that would be a guess.

Q. But there was no salary or expense account passed through your office? A. None whatever.

Q. I would like to ask you Mr. Finley though there has no knowledge come to the committee along this line, whether you had any connection with any of the following, Robert Black, of Hamilton, or Samuel Black, of Wyandot or Charles Orrison, of Franklin in reference to the referendum petitions? A. None.

Q. You did not ask them to perform any services? A. No, nothing, I may have written Mr. Black of Wyandot one letter and I think I did.

Q. Could you answer the same question in reference to Mr. Harry Vollmer of Cuyahoga, Mr. Lawrence Brennan of Cuyahoga, and Mr. Hoffman of Hamilton, the same question in reference to these men? A. Have had no dealing whatever with them however their duties were not under my charge.

Q. (By Mr. Williams). Would you care to state to the committee whether or not in the employment of Mr. Warnes in the capacity of investigator of the automobile he was promised by you a position later on? A. No, sir, no intimation of it.

Q. He drew no expense account? A. None to my knowledge.

Q. Do you know whether or not the time he was employed in looking up referendum matters he was employed in any other department? A. I do not know, I can not answer that question. I know he was employed in the banking department but whether it covered that period of time I do not know, it was never discussed at least. I might add for your information that when the referendum frauds were being investigated I took the initiative and wrote to men who were more or less

prominent all over the state asking their assistance and Mr. Warnes account of his position in the community was one of the ones whose assistance I asked. The only money expended was for witness fees.

Q. Did Mr. Warnes have any expense for witness fees? A. None whatever.

MR. RUSSELL.

The witness being produced and duly sworn testified as follows:

EXAMINATION BY MR. KRAMER

Q. Mr. Russell, your name is Price Russell? A. It is.

Q. State to the committee you have held, if any for any of the state departments during the present administration. A. I have been chief executive clerk to the Governor.

Q. Are you executive clerk now? A. I am.

Q. When did you begin your duties? A. About 15 minutes after the Governor was sworn in.

Q. That would be about January first, 1913? A. About January 13, 1913.

Q. In your duties as executive clerk do you have knowledge that would show how the contingency fund is paid out? A. Yes, these books are in my custody.

Q. I would like to ask you if you have made any investigation of the books as to whether you paid out or there was paid out any money from this fund to Milton A. Warnes of Holmes County. A. I have the books which would show any such payment, it lies on the desk now. I ran over it hurriedly and found nothing, neither do I recollect of anything having been paid to Mr. Warnes.

Q. That would cover the period from the time you went into office until now? A. Yes.

Q. Answer the same question in reference to the following parties: Mr. Black of Hamilton, Mr. Samuel Black of Wyandot, Mr. John C. Hoffman of Hamilton, Mr. Lawrence Brennan of Cuyahoga, Mr. Harry Vollmer of Cuyahoga and Charles Orrison of Franklin, whether any of these men drew any money from the contingency fund of the executive department. A. To the best of my knowledge they did not, though I have not examined the books with reference to these men but so far as I know no one of the gentlemen did. The books are here and you gentlemen may look at them.

Q. If these men drew anything from the contingency fund of the executive department would it pass through your hands? A. Yes.

Q. And I asked you would it cover the time until you went into the governor's office until now, to the present time? A. Yes, to the present moment.

Q. If you will leave it (the book) here, I will see that it goes back.

Q. (By Mr. Williams). Do you know whether or not any of these men whose names have been reported to you by the chairman whether their appointment was secured or approved or suggested by the executive of Ohio. A. I have no knowledge. I might state further that all expenditures from the governor's contingency fund can be found also on the books in the duplicate vouchers that come back to our office, and generally are filed in the office of the auditor of state.

Q. But do I understand that this contains all the expenditures from the contingency fund? A. All of the expenditures of the governor's contingency fund.

MR. GRAVES.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. KRAMER.

Q. Your name is Charles H. Graves? A. Charles H. Graves, yes.

Q. You are secretary of state? A. Yes, sir.

Q. And your duties as secretary of state began how far back? A. The second Monday in January, 1911.

Q. And you have served as secretary of state during that time from January 1, 1913, until the present time? A. I have been serving as secretary of state from the second Monday in January, 1911, continuously until the present time.

Q. Now, Mr. Graves, I want to ask you first in reference to the matter of Charles Orrison.....he has been an employe of your department, in what capacity? A. He has rendered services in the automobile department.

Q. Now I want to ask you whether outside of the services in the automobile department, he has rendered any services in any other department in your office. A. Now whether he has rendered any other services or not, I cannot just say. I want to tell you the way we run the department. If we have an extra amount of work in one department and are slack in another, why we shift. It is not necessary very often but it is the policy of the department that every bit of the work that comes in must be finished before the department is closed, that is done in every department. For instance, I have called some of the people of the vital statistics department to help out in the main office and sometimes the clerks from the main office have to go to other departments. We give each clerk in the department two weeks' vacation, that is usually the latter part of the summer and fall. Of course at those times we have to shift around to fill up the vacancies and see the work gets out. Now I can not recall when Charlie Orrison ever did any work other than in the automobile department except for a couple of days last year when he was recording notary public bonds in my office. Since they have been testing the validity of the automobile law things have been dull and he was transferred over there and did that work and received no pay.

Q. You want the committee to understand that he received no pay other than he drew from the department of automobiles? A. Yes, sir.

Q. His salary is \$112.00 per month? A. \$112.50, I believe.

Q. Now I would like to ask you when you appoint a man like Mr. Orrison, have you full power to appoint him or do you have to get any authority to make the appointment? A. Just what the civil service will have to do with the appointments in the department I do not know, but outside of that I make my own appointments. I have to take it up with the finance committee to determine the amount of money I can have to run the department but it is not necessary to have appointments made by me approved by any one or I need not consult any one about them.

Q. I want to ask you, well with Mr. Orrison first. Do you know whether Mr. Orrison was working the automobile department or in

any other department under you during the time the first session was in progress? A. He did some work but drew no pay, he was not required to do it but we were pretty busy and he came over and helped out. After I came to the department in 1911 I made a complete shift in the force. I appointed a man or two at a time and as I became more familiar with the work continued making changes until by the first of June I had a complete new force. Now Charlie Orrison was appointed, I think, some time in April. He was on the pay roll until the session began. After the session adjourned I put him back to work. Now the fact is, when he had time he helped out. I do not know how much or how little he worked but I do know he worked some.

Q. State whether he drew any pay for his services during the time the present session of the legislature. A. No, his pay stopped the 31st day of December.

Q. I would like to have you state whether he will draw any pay. A. No, he never will while I am secretary of state, and I do not think such a thing entered Charlie Orrison's mind.

Q. You are in charge of the pay? A. Yes and sign every pay roll personally.

Q. I want to ask you whether you, as secretary of state from January 1, 1913, until now, have had in your employ in any capacity Robert Black of Hamilton, John C. Hoffman of Hamilton, Louis H. Capelle of Hamilton, Lawrence Brennan of Cuyahoga, Harry Vollmer of Cuyahoga, Samuel Black of Wyandot or W. M. Brown of Ashland. A. None of them were in my employ.

Q. Now, Mr. Graves, I want to ask you whether during the same time, from January 1, 1913, to the present time, whether you have had in your employ Milton A. Warnes of Holmes county. A. He was in the employ of the automobile department some time last fall, I think August and September, I can not tell just the date, I think he was in the employ of the department about six weeks.

Q. Do you remember what his duties were? A. Very well.

Q. Just what were they? A. We called him automobile inspector. We always hire some one to go round the state and see if people who are required to have tags on their automobiles have them and if they have the kind of the tags they have. For instance lots of times people who run garages and are not dealers have dealers tags, they are to report such and see that the automobile laws are complied with. It has been the custom of the department ever since I have been in it and the year before, to have some one go round and see if people who should have tags have them. I have done that every year since I have been secretary of state.

Q. Now, Mr. Graves, would his duties limit him to Holmes county or would it give him a chance to go to any other part of the state. A. I do not think that he was limited but Mr. Shearer will know more about the inspection than I would.

Q. Do you know what he was to receive? A. \$100.00 per month and expenses.

Q. \$100.00 would be salary and expenses? A. The \$100.00 was paid on the regular pay roll and the expenses were not paid until after he was off the pay roll. Each item had to be shown, just what it was.

Q. Was he in your charge so that you could discharge him at any time? A. Yes, sir. I want to say this was during the time we were having the referendum fraud investigation and I expected Mr. Warnes

if he had any time to find out, if he had any extra time, to find out the validity of the petitions. I want the committee to know all I know.

Q. Mr. Warnes, so far as you know, has rendered no services except those you have told? A. It was during August and September as I recall it.

Q. Just one other question, if you do not care to answer it it will be all right. It did not come to your attention in any way to O K. the appointment of any of these men in any other department? A. No, I have nothing to do with any other department or the appointments in any other department of state.

Q. When clerks are employed are they required to give bond, I understand the bonds are filed with the secretary of state. A. We are the custodians of the bond. I never gave it any attention, I have a clerk who makes the bond, files them but they are in my custody.

Q. Did Mr. Warnes for the services he rendered in the investigation of the referendum fraud.....did he draw any money from the automobile department? A. No, not to my knowledge, nor from the department over which I have charge. Usually they report by towns. Now I do not think he reported anything to me, if he did dig up anything, I do not recall it, he did not report to my office, I do not recall his making a report to me but I was pretty busy. When we put in this automobile inspector we expect to keep tab on them, that is we try to determine from the applications that are coming in as a result of their work what they are doing, for instance if we send a man to Toledo and we know he is working in Toledo and we expect the applications for license to come in pretty thick and if not he is not doing anything. We expect applications from the place where he is working. When we send a man to a town and do not get many applications we know he is not doing anything and when a place is pretty well worked we move him to another town. We never work an inspector the entire year. We do not start them until June and never work them through the year. We want them as long as they are accomplishing anything and keep them out but as soon as things get slack and applications are not coming in we lay them off.

Q. So their tenure of office is limited to the time they are needed? A. Yes, sir. I want to say one other thing in connection with Mr. Orrison. When Mr. Orrison was elected to the legislature I was undecided as to the legality of his holding the position and after the close of the legislature I was undecided as to whether he would go back to work but after investigating and seeing a similar decision from the Supreme Court I decided his position would not come under the head and told Orrison he might go back to work. From my knowledge of the law and I have practiced over 20 years, the work was not of a character that would prevent him from serving as a member of the legislature. I have probed and investigated it and have come to the conclusion I have above stated.

Q. (By Mr. Williams). I think perhaps I misunderstood you as to the salary. A. Salary?

Q. The salary Mr. Warnes received? A. \$100.00 per month.

Q. He received \$100.00 per month while he worked? A. Yes.

Q. Would your records show this? A. Yes, I think about a month and a half.

Q. You are not positive? A. My judgment is that it was about six weeks as stated by Mr. Shearer but the vouchers will show whether it

is six weeks or not. I may be in error but I do not think I am. I might say the fact on which I base my judgment concerning it is that he was employed during the time the referendum was being investigated.

Q. (By Mr. Etling). You state you shift a man from one department to another without extra pay? A. There is not a man in my department who can truthfully say that their work is this or that and just that. They are assigned certain duties and they generally do that but if necessary they are shifted or other work brought to them. The work must be gotten out and every clerk must do any work. They are designated to do certain things that is their general routine but there is not a clerk who can say "That is my work." Nobody is done until all the work is done.

Q. So the shift did not affect their compensation? A. No, the only time that I can recall that Orrison was in my office was when he was handling the notary public bonds. Formerly the notary public bonds did not have to be recorded but the last session of the legislature enacted a law requiring them to be recorded by the secretary of state. It made a lot of extra work and every clerk had to do his part and owing to the fact that the work in the automobile department was practically at a standstill and as I have already told you it is quite likely he was working there.

Q. He might have been making out corporation papers? A. It would not be very likely but if one of the clerks were sick the chief clerk or assistant secretary might have assigned him this work. So it would not get ahead of him. He never was on the pay roll of the department.

MR LATTANNER.

The witness being produced and duly sworn testified as follows:

EXAMINED BY MR. KRAMER.

Q. You may state to the stenographer your name. A. Emory Lattanner.

Q. What position, if any, do you hold in any department of the state? A. I am secretary of banks and banking.

Q. When did you begin your duties as secretary of banks and banking department? A. March 16, 1913, I began as deputy and on June 12, 1913, was appointed secretary.

Q. I want to ask you Mr. Lattanner whether you have investigated the records in your office so that you can give the committee any information as to the employment of Robert Black of Hamilton in any capacity under the department? A. I have.

Q. State to the committee what services if any Mr. Robert Black rendered under the Department. A. Well, because of my familiarity with the matter, if you will permit me to state the matter in my way and anything I may overlook you will kindly call to my attention.

Q. That would be better. You may state to the committee the employment that your department gave Robert Black, the nature of the employment and the compensation he received for it. A. Under section 742-2 of the general code (quote) and section 742-4 of the general code (again quote) he acted as attorney in the liquidating of a number of

banks. On coming into the department March 6, 1912, I found a number of banks throughout the state to be liquidated and the expense for attorney fees was very large and the work was under the direction of this office. I decided that the expense would be less if there was one man appointed to act as special deputy attorney and handle all the matters for a stipulated sum. The banks he handled were The Columbus Savings and Trust where the special deputy was drawing a salary of \$6000.00 per year, the Guarantee Bank of Mt. Vernon where the deputy received a salary of \$3,000.00 and the attorney fees were very large. The Gambier bank where the special deputy was paid \$1800.00 and attorney fees. The bank of Wellston where the special deputy was paid \$1500.00 and attorney fees and the Metropolitan Bank of Cincinnati where the special deputy was paid \$3000.00 and attorney fees of \$3000.00, the bank at Albany where the deputy was paid \$1800.00 and attorney fees and the Mechanics Bank at Toledo where the deputy paid \$3000.00 and attorney fees. It was my idea that by bringing this bank into the office and employing one attorney to look after it it would not only be more satisfactory but we would save not only a large percentage of the special deputy fees but the amount of the attorney fees. Mr. Robert Black having been recommended by Mr. Peck, Mr. Bruce and Thomas Noctor and others I named him special attorney to act for these banks, on no salary but he was to be paid for his services for each bank. He rendered his bill for services at the different banks to the department as the matters came up. In the course of time I took him with me in the settling up of matters in connection with the banks. His compensation was fixed by me and later approved by the common pleas court and paid out of the funds of the bank.

Q. Just state briefly what his duties were. A. Well, it is difficult to do that unless I take it bank by bank. Take the bank at Amherst. I went there the third of July and sent for him and he came on the fourth of July. Brought several actions, saw several people in Cleveland who were believed to be bad creditors and succeeded in arranging matters. In the case of the Osborn Bank it was somewhat different. He spent considerable time and we had a number of matters in the common pleas court and these were handled in the usual manner, the county was the preferred creditor. The Cincinnati Metropolitan Bank had a case of \$20,000.00 against the Second National Bank and it is now in the court of appeals.

Q. You state Mr. Black drew no salary? A. No sir, the money he drew was charged against each bank.

Q. Have you a record of the amount he drew in each case? A. I have. At the ——— State bank he was paid \$10.00 legal fees, the Guarantee Saving Bank of Mt. Vernon, \$75.00 in connection with a \$12,000.00 suit, and \$27.35 expenses. He made several trips to Mt. Vernon in connection with the \$12,000.00 suit and the expenses were his actual traveling expenses allowed. In the Gambier Bank he was allowed \$25.00 legal fees. In the Metropolitan Bank of Cincinnati he was allowed \$975.00 legal fees and \$104.80 expenses. In the Columbus Savings and Trust Company he was allowed \$600.00 for legal fees and \$58.20 expenses. In the Citizens Bank of Beach City and the Citizens Bank of Mt. Eaton which is a branch of the other bank, he was allowed \$275.00 attorney fees and \$13.90 expenses. The Murray City Savings Bank he was allowed \$100.00 and expenses were \$7.30. In the West Side Dime Savings Bank, Columbus, he was allowed \$100.00 fees. In the Bank of Fayette services and expenses \$75.00. Mechanics Savings Bank Toledo, services \$39.00,

expenses \$14.00. Bank of Amherst, services \$300.00, expenses \$96.50. Osborn Bank, services \$300.00, expenses \$82.35. Now I have some of the bills here if you care to see how they are rendered.

Q. As we understand it, he would render you a bill for services and you would O. K. the bill? A. Yes, I am supposed to administer the affairs of defunct state banks but it is impossible for me to handle them all personally so I have appointed six deputies to work under me.

Q. Were these bills made out by Mr. Black? A. Yes.

Q. I want to ask you, in all the cases where Mr. Black acted he rendered the bills? A. Yes.

Q. And you approved them? A. Yes.

Q. How much salary did Mr. Black receive? A. I do not know but I think about \$2600.00 salary.

Q. Outside of the items you have mentioned and the banks you have mentioned, did Mr. Black perform any services for you? A. No sir, he did not. It is only fair to say that he did some gratuitous services and helped me file the banking law.

Q. He received no pay? A. Absolutely none. He did it evenings.

Q. You want the committee to understand that the amount of money paid to Mr. Black came from the funds of the bank? A. All of it. He never was on the state pay roll through my department.

Q. When did he begin his services with you? A. What is the date of the close of the first session?

Q. April 29th. A. My recollection is that he began work about a week after the close, about the sixth of May.

Q. State to the committee whether he has rendered any services for you during the present session, say from January 19th until now. A. With the exception of one or two small matters he has not rendered any services since the 31st of October.

Q. Let us go to Mr. Warnes. State if he rendered any services in the liquidation of any bank. A. Under section 742-2 (quote). In accordance with the provision of the above section he acted as liquidating agent for the Beach City Bank and the Bank at Mt. Eaton.

(Interruption was made here by Mr. Diser with the request that Mr. Appenzeller be subpoenaed in connection with the construction of public highways.)

A. On September 24, I believe it was, I met Mr. Warnes at Millersburg and asked him how he would like to liquidate a bank. He said he did not know whether he had the qualifications or not. I said that he knew all the people and therefore would like to have him take it. We talked of the compensation he would receive and on September 26th he was appointed special deputy superintendent for the liquidation of this bank.

Q. How long did he serve? A. He sent in his resignation in October but I did not accept it until the bank paid its first dividend. That was January 14, 1914.

Q. Do your books show how much he received for his services? A. I have not got the books here but it was about \$250.00 per month and the actual expenses incurred in going from Beach City to Mt. Eaton in connection with affairs of the bank.

Q. Was there any arrangement before he took up his work? A. Yes, I arranged that on September 25th I think.

Q. Did he have an application on file? A. He did not. The

thought occurred to me when I saw him in Millersburg that as he knew all the people up there he would be a good one to liquidate this bank.

Q. What was the other bank? A. Mt. Eaton, ten miles up the country controlled by it, a branch of the Beach City Bank.

Q. He had to travel back and forth? A. Yes.

Q. Outside of the services you have narrated of Mr. Warnes, state to the committee whether since January 1, 1913, he has drawn any other pay or expense account. A. None whatever. He was never on the pay roll, it was simply what he got from the bank.

Q. State to the committee how he drew his salary and expenses. A. He sent to me a monthly itemized bill and I approve and return to him as liquidating officer and direct him to pay himself.

Q. The funds would come from where? A. From the Beach City Bank.

Q. Has he performed any services since January 1, 1914 until the present time? A. None.

Q. (By Mr. Williams). Were these expenses approved by the common pleas court? A. Yes. They are either approved or reduced by the common pleas court.

Q. Have they been reduced? A. They never have been in these two cases but over at Xenia Judge Kyle reduced the charges and the law states the superintendent of banks has absolute right to determine the expenses and the difference was paid out of the state treasury and suit is now pending to recover the money expended. So far as Mr. Black or Mr. Warnes is concerned there has never been a reduction or a fight on those.

Q. You stated that on the advice of the attorney general you discontinued the services of Mr. Warnes? A. No, I did not say that.

Q. What did you say? A. I did not say that.

Q. Would you tell the committee then whether or not you had an opinion from the attorney general with reference to Mr. Black? A. No, I never asked it.

Q. But you received an oral opinion? A. I never asked that.

Q. But will you answer my question? Did you receive an oral opinion? A. Yes.

Q. That is previous to the time he resigned? A. Yes.

Q. From whom did you receive the opinion? A. Mr. Davis.

Q. (By Mr. Kramer). I think Mr. Williams asked you whether you got an opinion as to whether or not it would be constitutional. A. I had a perfect right to do that.

Q. Why did you get the opinion? A. As a matter of public policy. Mr. Davis told me it would be perfectly all right to employ him in this capacity.

Q. (By Mr. Williams). Mr. Warnes position was that of liquidating officer? A. That is right he is a liquidating officer to represent the depositors.

Q. In the nature of his employment would say that Mr. Warnes had the right to issue checks in the liquidation of the bank? Yes, in the matter of postage, etc., I told him to go ahead but when there was any discretion to be exercised I exercised that prerogative.

Q. I understood from you that the salary and expenses were first made out by you and submitted to the court? A. The manner of doing this, the law is indefinite as to how often this is done. We usually do it every three months, in the meantime the bills are issued by the

party who does it and they are either approved or disapproved or reduced but there is generally filed with the superintendent of banks an itemized statement of the expenses for the term but usually they are allowed except in the case of Osborn bank where I had to reimburse them out of the state treasury in which case Judge Holmes held that the liquidating officer could not draw as much salary as that fixed by law. His salary is \$3,000.00 and he refused to allow but \$2,400. I went to the auditor and got the difference so he would not be the loser and there is now a suit pending to recover the amount.

Q. (By Mr. Kramer). Neither Mr. Black nor Mr. Warnes were interested in the case of the Osborn bank? A. No. There was more time spent in that bank than any other but the salary fixed for the clerk and the stenographer were both reduced. The only time there was any reduction made was in the attorney fees in the liquidating the Toledo Bank and Mr. Black wanted \$100.00 and I gave him \$39.00. Incidentally I cut the fees of the local attorneys on the same ratio.

Q. Outside of Mr. Black and Mr. Warnes did you employ any other member of the legislature? A. Senator Friebolin.

Q. So far as your knowledge goes these men would draw nothing that would go through your office? A. No.

Q. (By Mr. Williams). In your office the expenses are itemized. A. Yes, sir.

MR. APPENZELLER.

The witness being produced and duly sworn, testified as follows:

EXAMINATION BY MR. KRAMER.

Q. State your name to the stenographer please. A. C. Appenzeller.

Q. You are a member of the 80th General Assembly, being a member of the House? A. Yes, sir.

Q. From what county? A. Darke.

Q. You represent Darke County? A. Yes.

Q. Your duties began on January 1, 1913 and they will end the 31st day of December, 1914? A. Yes, sir.

Q. Mr. Appenzeller you are now acting as representative from your county and have been since the first day of January, 1913? A. Yes, sir.

Q. Mr. Appenzeller, I want to ask you whether from the first day of January 1913, up to the present time, whether you have held any other official position other than that of representative. A. No, sir.

Q. Any state government or any sub-division of the state government? A. No, sir.

Q. State to the committee whether you have held any other position or appointment in any sub-division in the state, city or county or township. A. No, sir, that is up to this time.

Q. Now, Mr. Appenzeller state to the committee whether from January 1, 1913, down to the present time you have drawn any public funds, from any department of the state other than that which you drew as representative. A. I did for work done. I am a contractor and before I did any of the work or bid on them I went down to the attorney general and advised with him as to whether or not I had the right to bid on it and he is willing to come up at any time.

Q. To whom did you talk? A. I could not tell you but could get his name for you. I advised with him and he told me I had a perfect right to go into competitive bidding and was low bidder.

Q. State what was the nature of the work. A. Building concrete roads.

Q. State where the work is. A. Well, I have several contracts, one in Ashtabula, one in Washington.

Q. Did you say one in Washington? A. Washington County, down at Marietta. I have not done anything on this yet. Then I completed a job in Holmes County, near Millersburg and have a piece of unfinished work in Perry County.

Q. When did you begin the job that you say is not completed? A. Began that in the fall.

Q. You might state to the committee how you got the job. A. I went into competitive bidding with a number of others and was low bidder and got the work.

Q. Did you submit bids? A. It was sealed bidding.

Q. The contracts were let on sealed bids by the state highway department? A. Yes, sir, these were not all at the same time.

Q. State to the committee whether up until January 1, 1913 you had been engaged in the building of highways. A. I have been engaged in it for fifteen years.

Q. Mr. Appenzeller, could you state to the committee approximately how much money you drew under the contracts from the first day of January, 1913, up until now? A. Just off hand it is pretty hard to do. About \$5,800.00 on the job at Millersburg and in the neighborhood of about \$2,000.00 on the one down in Perry County.

Q. That is up until now from the first of January, 1913? A. Yes.

Q. What did you have to do with the job after you bid on them? A. I was busy with the work, one thing and another that had to do with the work.

Q. That is your business? A. Yes.

Q. Did you have any contracts other than you have stated to the committee? A. No.

Q. Did you have any employment in any way with any other department of the state? A. State highway department.

Q. You closed your contracts with the Highway Department? A. Yes.

Q. (By Mr. Williams). I understand you to say you had bid on a job in Washington county? A. Washington county, down in Marietta.

Q. Have you done anything on this contract? A. No, sir.

Q. You were the successful bidder? A. Yes.

Q. Has the work been done under the contract? A. No, sir.

Q. You have told the committee all the contracts you have taken? A. I have told them all.

Q. (By Mr. Kramer). You want the committee to understand this was competitive bidding and you were low bidder? A. Certainly. I could not have got it if I had not been.

Q. Anything further that you wish to tell the committee, Mr. Appenzeller? A. Nothing but that I got the opinion of the attorney general's office.

Q. You might if you could, get the name of the man in the attorney general's office who gave you the opinion.

MR. DONAHEY.

The witness being produced and duly sworn, testified as follows:

EXAMINATION BY MR. KRAMER.

Q. Your name is Vic Donahey? A. Yes, sir.

Q. At present you are state auditor? A. Yes, sir.

Q. When, Mr. Donahey, did you begin your duties as state auditor? A. - On the 13th day of January, 1913.

Q. And from that time you have been state auditor? A. Yes, sir, I believe I am.

Q. We will take it for granted that you are. Now Mr. Donahey, the money that would be drawn through the state treasury would be drawn by warrants or vouchers issued through your office? A. Yes, the departments of state government would issue vouchers known as warrants on the auditor of state.

Q. The paper you issued would be called warrants and the originals would be called vouchers? A. Yes, sir.

Q. From January 1, 1913 or the 13th of January, that is as far as you have been state auditor, state to the committee whether there have been any warrants issued to John C. Hoffman of Hamilton County through your office. A. Yes, sir, there was.

Q. Have you in your mind or from any investigations you have made, any knowledge as to the amount of money Mr. Hoffman received warrants for? A. Yes, I had my chief clerk go over the books and prepare a statement of the money paid out from warrants issued to Mr. Hoffman.

Q. Would these warrants come back to you so you would know the amounts? A. No they would not.

Q. State to the committee the amount of money that the warrants issued by you to Mr. Hoffman represented. A. On July 1, 1913, warrant was issued for \$50.00 approved by the Bureau of Labor Statistics, on July 17, same year \$50.00, August 2, same year, \$50.00, August 18, \$50.00, September 3, \$50.00, September 3, traveling expenses \$19.50, October 4, \$50.00.

Q. That represents the total? A. To the best of my knowledge.

Q. Have you the total there leaving out expenses? A. \$350.50.

Q. Without expenses? A. \$300.00.

Q. Would your records show from where the warrants were issued? A. Yes.

Q. Would it show that the warrants were issued for labor? A. That they were issued from the Bureau of Labor Statistics.

Q. Do your records show there were warrants issued to Mr. Harry Vollmer? A. Yes, sir.

Q. State to the committee the amounts for which issued. A. The Bureau of Labor Statistics issued to Harry C. Vollmer as follows:

July 2nd, 1913	\$75 00
July 18th, same year	50 00
Aug. 4th, same year	50 00
Aug. 19th, same year	50 00
Aug. 19th, traveling expense	3 98
Sept. 4th, services	50 00
Oct. 7th, services	100 00
Oct. 10th, expenses	10 88

Q. Now, Mr. Donahey leaving out the traveling expenses he received how much? A. \$375.00

Q. And traveling expenses? A. About \$14 and 40 some cents.

Q. State to the best of your knowledge, Mr. Donahey whether those different amounts are all the amounts for which warrants were issued from your office. A. To the best of my knowledge issued to Harry Vollmer.

Q. Now state whether there were any warrants issued through your office to Lawrence Brennan of Cuyahoga. A. Yes, sir, the records show that Lawrence Brennan was paid from the liquor license fund the following amounts:

Nov. 18, 1913, services	\$108 33
Dec. 18, 1913	3 61 presumably traveling expenses.

Q. These two warrants represent all the warrants that passed through your office to Lawrence Brennan? A. Yes, sir, to the best of my knowledge.

Q. In your investigation, were there any warrants issued to Robert Black of Hamilton from January 1, 1913, to the present time? A. To the best of my knowledge there were no warrants issued by our department to Robert Black down to the present time.

Q. State to the committee whether there were any warrants issued during that time to Samuel Black of Wyandot. A. Our records show that Samuel M. Black, expenses as clerk of the prison commission show on

October 29, 1913	\$117 60
November 18, 1913	55 95
December 5, 1913	33 20
January 10, 1914	55 45

presumably expenses incurred in the discharge of his duties as secretary to the commission.

Q. So far as you know, do your records show there were any warrants issued in favor of Mr. Black for his services? A. That covers all, I am of the opinion.

Q. You do not remember who O. K'd. said voucher? A. I am not sure, I would not care to testify until I made further examination.

Q. State whether there were any warrants issued in favor of Chas. A. Orrison. A. No, sir. Our records disclose no payment to C. A. Orrison.

Q. And Louis H. Capelle? A. No payment of funds to my knowledge.

Q. And to Milton A. Warnes of Holmes? A. No payment to the best of my knowledge.

Q. State to the committee whether your records in your office disclose any warrant having been issued to W. M. Brown of Ashland. A. Our records disclose the fact that W. M. Brown received from the agricultural fund on October 18, 1914 (By Mr. Williams 1913). Yes, 1913, \$90.00, presumably services and October 15th, same year \$5.00 expenses, total \$95.00.

Q. State to the committee whether the records in your office disclose any warrants having been issued to Charles L. Swain of Hamilton. A. No, sir, none has been issued. Would qualify this statement. I want to be understood as saying the regular salary vouchers heretofore

issued to members of the general assembly are not to be included in this statement.

Q. Outside of the salary and expenses about which we have inquired this represents all that went through your office so far as your knowledge goes? A. Yes, sir.

Q. (By Mr. Williams). Is it possible that money might be expended on the part of any of these persons from the funds before the money was turned into the treasury? A. If I understand your question, you wish to know whether any money could be paid before the funds are turned in?

Q. Yes. A. Yes, it is possible.

Q. Have you any knowledge as to whether or not any party received any money? A. I have no knowledge but I believe Charlie Orrison received compensation as one of the clerks in the automobile department.

Q. Do you recall the amount of that? A. No, I could not.

Q. (By Mr. Kramer). The funds that came into the automobile department. . . . out of these I believe is deducted the running expenses of the department and the balance is turned into the state treasury? A. The operating expenses is taken out and the residue turned in.

MR. HASTINGS.

The witness being produced and duly sworn, testified as follows:

EXAMINATION BY MR. KRAMER.

Q. Just state your full name to the stenographer. A. Homer L. Hastings.

Q. And you are a representative from what county? A. Noble.

Q. Your duties began as representative on the first day of January, 1913? A. Yes.

Q. And will expire on the 31st day of December, 1914? A. Yes.

Q. Are you still holding the office or position as representative? from Noble County and have been since the first of January, 1913, until now? A. Yes.

Q. Now, Mr. Hastings, I would like to ask you whether from the first day of January, 1913, down to the present time you have had any employment or position under any department of the state other than that of representative from Noble county. A. Well, I have no other position other than that of representative but I have been employed, or not employed hardly but I have a contract that I obtained through or from the State Highway department. I am a contractor and last March about the time of the March and April floods I received a contract for eight tenths of state aid road in Monroe county but before I begun the work I went to the attorney general's office and saw Mr. Hogan and Mr. Laylin and had them look up the law to see whether I had the right to begin the work and take the contract in case I was low bidder and they assured me that there was no inhibition or if so it was so remote it could never be raised.

Q. You got this through public bidding? A. Yes.

Q. You were the lowest bidder? A. Yes.

Q. The contract was let through the state highway department? A. Yes.

Q. Do you remember what your bid was? A. \$15,865.00 I believe.

Q. State whether you have completed any work or contract. A. It has been completed.

Q. State whether you have drawn any money. A. Yes, the money has all been paid.

Q. You stated you got your work along about when? A. March.

Q. Do you remember when you completed it? A. The contract was completed in December some time.

Q. Of 1913? A. Yes.

Q. Was that the time you received the money. A. I received it all along.

Q. You have received the full amount? A. Yes.

Q. State outside of the contract you have suggested whether you performed any services or had any other employment. A. No, I have not.

Q. Did you perform any services for any county or subdivision of the state? A. Yes, I did some county work.

Q. Would you state the nature of the county work? A. Bridge work, building bridges.

Q. Was this done since you entered upon your duties as representative? A. Yes.

Q. The work was done since then? A. Yes.

Q. Could you state approximately how much money you drew from the county? A. I think about.....well, I did some work over in Muskingum county, I think it amounted to about \$11,000.

Q. \$11,000.00, that is for county work? A. Yes. I have a partner in Monroe and there we did about \$5,000.00 or \$6,000.00.

Q. This was paid out of the county funds? A. Yes.

Q. The money has been drawn? A. Yes.

Q. Could you state how you obtained the contract? A. By competitive bidding.

Q. How long have you been a contractor? A. I have been about three years for myself but I was with a manufacturing company and took contracts for them for several years prior to that.

Q. State whether this work was done during the time the first session of the 80th General Assembly was in session. A. No, not while in session.

Q. Have you done any work since January of this year. A. No sir, none.

Q. Outside of the bridge work you have suggested as having been done for the county and paid out of county funds and road work you have been paid for out of state funds, state whether you have performed any services of a public nature. A. None whatever.

Q. I do not suppose you got any opinion from the attorney general in reference to the county work did you? A. Yes, I got an opinion, that was my business and I wanted to know whether to proceed with the business while I was representative, and whether I was violating the law. He said where it was competitive bidding there was no inhibition, the law was plain on it.

Q. (By Mr. Williams) Did you get any other opinion? A. No.

Q. (By Mr. Kramer) You asked Mr. Hogan himself? A. I asked Mr. Hogan and he called Mr. Laylin and they looked up the law together in my presence.

CHARLES L. SWAIN.

The witness being produced and duly sworn, testified as follows:

EXAMINATION BY MR. KRAMER.

- Q. Your name is A. Charles L. Swain..
- Q. You are a representative from Hamilton County? A. Yes sir.
- Q. And your duties began the first day of January, 1913? A. Yes sir.
- Q. And will end the 31st day of December, 1914? A. Yes sir.
- Q. And you have since that time, been acting as representative from Hamilton County? A. Yes sir.
- Q. And are at this time? A. Yes sir.
- Q. Now, Mr. Swain, from January 1, 1913, until the present timestate to the committee whether you have been in any other service of the state other than that of representative from Hamilton County. A. I have not. I have not received any money from the State of Ohio except as a member of the general assembly.
- Q. State to the committee whether from the first day of January, 1913, until the present time, you have performed any services in any capacity whatever in any political sub-division of the state. A. I suppose that question would cover an employment I had as attorney for the village of Arlington Heights. I was employed on January 1, 1912, as attorney for the village of Arlington Heights for the period of two years and was to expire on the first day of January of this year but was retained for the next two years. I might say to the committee that during the past ten years I have acted as attorney for Arlington Heights, the Village of Hartwell before it was taken into the city of Cincinnati, one term for Lockland and one for Mt. Healthy.
- Q. Are they all in Hamilton County? A. All in Hamilton county.
- Q. When did you begin your duties for Arlington Heights? A. Have been doing it for about ten years but do not remember the exact time.
- Q. Would you state your duties for Arlington Heights? A. The statute provides for municipalities to employ attorneys and for villages to have legal advice as may be necessary and I was appointed as legal adviser and act for the village as I would for any private client, telling them what may be done and may not and generally keeping them within the limit of the law.
- Q. Would you state what the salary is? A. The village of Arlington Heights is a small one, that is the tax duplicates were small and it was at their earnest solicitation that I took it, they said they had not much money and most of them were friends of mine, and neighbors and I took it for the sum of fifty dollars per year.
- Q. Was the agreement in writing? A. They passed resolutions employing me.
- Q. You said your employment preceded 1912, you meant 1911. A. No, that was 1912. Beginning January 1, 1912, and they re-employed me

for another two years beginning January 1, 1914. My first village was much larger than Arlington Heights and they paid me what the services were worth.

Q. Mr. Swain, could you get a copy of the resolutions passed by the council of Arlington Heights employing you? A. It was merely "Be it Resolved that Charles L. Swain be and is hereby employed by the village of Arlington Heights to act as attorney for a period of two years." My duties were to confer with and advise with the mayor. For instance the mayor is a layman and he will call me on the phone to prepare an affidavit or in any manner in which the village is interested. My duties consist of anything that a good citizen would do to help his own community.

Q. Outside of the resolution there would be nothing in writing which would describe your duties? A. There would not my duties are so flexible. If they have council meeting I will go up and confer with and advise with them, the village adjoins the place where I live and many of them are neighbors and friends of mine..

Q. Outside of the employment you have suggested in reference to Arlington Heights, you want the committee to understand that from January 1, 1913, you have had no other employment for any political sub-division of the state or department or bureau of the state government? A. Yes, I served on the school board before that time.

Q. And outside of the \$50.00 per year you received that you have drawn no money from any political sub-division or bureau of the state other than your salary as representative? A. Let me see that is all.

Q. (By Mr. Williams) Would it be one of your duties to represent the village before the court as an attorney at law? A. Yes.

Q. Either as plaintiff or defendant? A. Yes, I might say that we have not had a law suit but if we did have one I would represent them.

Q. Before the mayor? A. Yes I would represent them. I would represent them but would not charge them.

Q. Do you give bond? A. I do not.

Q. Take an oath? A. I do not. It is simply the case of attorney and client. I have clients who employ me by the year, I neither take oath nor give bond.

Q. (By Mr. Kramer) You do not have in mind the section that provides for your employment? A. No, I do not. It provides for the employment of solicitors and that villages may employ them for a term of two years.

Q. (By Mr. Williams) What is the population? A. About three hundred.

GEORGE L. COFFINBURY.

The witness being produced and duly sworn, testified as follows:

EXAMINATION BY MR. KRAMER.

Q. State your full name to the stenographer. A. George L. Coffinbury.

Q. What is your position now? A. Chief book-keeper in the department of the Auditor of State.

Q. How long have you been book-keeper there? A. Since March first, 1913.

Q. Now, Mr. Coffinbury, I would like to ask if you investigated the records of the auditor of state's office in reference to warrants issued to Richard Reynolds of Franklin. A. I did.

Q. Would you state to the committee what your findings in reference to the amounts of the different warrants covered that were issued from the office of the Auditor of State? A. I cannot I am not now able to give the amounts of the different warrants but am able to give the total of the warrants as found by me. In 1906 Richard R. Reynolds drew as a member of the General Assembly for the years 1906-1907, \$1,200.00, on May 18th, 1907 he drew for carpenter work in the secretary of state's office the sum of \$25.00.

Q. Do you know from the examination of your records Mr. Coffinbury, what the warrants drawn on the state for \$1,200.00 covered? What they were for? A. Salary as member of the General Assembly of 1906-07.

Q. (By Mr. Williams) Does the record disclose what that last item of \$25.00 was for? A. For carpenter work.

Q. Where, do you know? A. In the secretary of state's office.

Q. Did you give the date of that? A. Yes sir.

Q. That was after the close of the session? A. I am not able to state whether it was after the close of the session or not.

Q. So you were not in the Department at that time? A. No sir.

Q. (By Mr. Kramer) State to the committee whether you made any investigation of the records in the secretary of state's office in reference to David L. Sleeper, as to whether any warrants were issued to him. A. I did.

Q. Would you state to the committee what the records show in reference to David L. Sleeper. A. The records show that David L. Sleeper of Athens County drew in 1896 as a member of the General Assembly that year \$600.00. In 1897 he drew as salary for member of the General Assembly \$600.00. The records for the fiscal year 1897 show he received for legal services to the State Commissioner of Dairy and Food the sum of \$4,233.00.

Q. State to the committee whether do you know in the investigation of records whether the \$4,200.00 was issued in one warrant or more than one, that is whether the amount is represented by one warrant. A. I do not recall now whether it was issued in one warrant or not.

Q. State to the committee whether your examination of the records in the Auditor of State's office so far as you know whether that is the total amount he received. A. My examination discloses the fact so far as I was able to find, that was the total amount for the fiscal year 1897, however, there may have been other payments made.

Q. (By Mr. Williams) Do you know Mr. Coffinbury, whether or not Mr. Sleeper had resigned his position as member of the House prior to the time these amounts you specify were drawn? A. I am not. I find no record of any repayment being made by him. That is all our records would show if such action were taken.

Q. It would not be necessary to show repayment if he had resigned. A. No, but the repayment would indicate he had resigned that is all.

Q. (By Mr. Kramer) State to the committee whether your investigation of the records in the auditor of state's office show any warrants issued to Harry C. Mason, if you made such an investigation. A. I made such an investigation.

Q. Would you state to the committee what the warrants disclosed there was issued to him? A. The records show that Harry C. Mason of Cuyahoga received in 1898 for salary as a member of the General Assembly that year \$600.00 and in 1899 salary as member of the General Assembly \$600.00 and in 1899 received as attorney for the State Dairy and Food Commissioner the sum of \$1,665.40.

Q. What was that year? A. 1899.

Q. 1899? A. Yes sir.

Q. That was the last year of his service? A. Yes sir.

Q. Do the records disclose whether Mr. Mason was a member of the House or Senate? A. Records show that he drew his salary as a member of the House.

Q. State to the committee whether your records disclose anything as to vouchers having been issued to Orla E. Harrison. A. They do.

Q. Would you state to the committee what they disclose? A. The books of the auditor of state show that Orla E. Harrison received in 1902 as member of the General Assembly the sum of \$600.00 and drew that year as a salary for the year 1903, \$600.00, in 1904 for salary for years 1905-04 \$1,200.00, also that he received in the fiscal year 1905 for services and expenses as special counsel for the attorney general \$3,476.85. That while this was paid out of the appropriation to the attorney general for special counsel it appears from the records to have been for legal service in connection with the Dairy and Food Department. He received in the fiscal year 1904 as special counsel \$242.15.

Q. What was the year of the last amount? 1904? A. Yes, 1904.

Q. The first amount was 1905? A. Yes.

Q. What did you say were the years he drew salary as members of the house? Was it four years? A. Yes, beginning in 1902 and ending with 1905.

Q. Do your records disclose whether he was a member of the House or the Senate? A. A member of the senate.

Q. Do the records in the auditor of State's office disclose anything as to warrants issued to C. F. Williams?

Q. (By Mr. Williams) Of what county? A. Of Hamilton.

Q. He is from Hamilton? A. Yes sir.

Q. What do the records disclose? A. They disclose that Mr. Williams in 1902 drew as member of the General Assembly salary of \$600.00 and again in 1902 as salary for the year 1903, \$600.00 and again in 1904 as member of the General Assembly \$1,200 for the years 1904-5. Also that in the fiscal year he received for legal services from the state dairy and food commissioner \$591.60. In 1904 for legal services \$791.05. Also in that year for special counsel in the attorney general's office \$1,249.98. In 1905 as special counsel in the attorney general's office \$2,499.95.

Q. Now, Mr. Coffinbury, what was the last year he served as member of the general assembly? A. 1905, so far as my examination shows.

Q. Do the records show as to whether he was a member of the House or the Senate? A. They disclose which House that he was member of but I do not recall which.

Q. But he was a member of the General Assembly? A. Yes sir.

Q. Now Mr. Coffinbury, do your records disclose anything of warrants issued to Horace Ankeney? A. They do.

Q. Would you state to the committee what you find disclosed by the records? A. The books in the office of the auditor of state show that

Mr. Ankeney received as salary for member of the 75th General Assembly in the year 1902, \$600.00 and also in the year 1902 for salary of 1903, \$600.00. and also as State Dairy and Food Commissioner in the year 1903 \$1,666.66.

Q. What was the year of that last warrant? A. Well, the total I can give the total the total salary for the year 1903 as Dairy and Food Commissioner is \$1,666.66.

Q. (By Mr. Williams) Can you give us the first date and the last date of the warrants? A. Of the warrants drawn as Dairy and Food Commissioners?

Q. Yes. A. February 27, 1903 is the first, December 21, 1903 is the last.

Q. You might give the amounts of the warrants on the first date. A. The amount of the warrant on the first date, February 27, 1903 is \$83.33.

Q. And the last date? A. The same amount.

Q. Do you know whether or not there was a session in 1903? A. I do not.

Q. He drew \$600.00 beyond that? A. He drew \$600.00 as salary as member of the General Assembly in 1903.

Q. He drew it in 1903? A. In 1902, paid in advance. The records show this paid in advance.

Q. State to the committee Mr. Coffinbury I believe I have asked you but I want to find out from this investigation

Q. (By Mr. Williams) Just one question. Do you know whether or not Mr. Ankeney had resigned as a member of the General Assembly? A. No sir but the books show these payments were made outside his salary.

Q. But that would not be evidence of his not having resigned. A. I should take it as very good evidence.

Q. Then would you say that because you found no repayment he had not resigned? A. No sir, I would not call it conclusive evidence.

Q. (By Mr. Kramer) Now Mr. Coffinbury state to the committee whether your records disclose any facts in reference to warrants issued to W. T. Clark. A. They do.

Q. State as to what the records disclose. A. The records disclose the fact that Senator W. T. Clark of Cuyahoga county drew in 1894 as member of the General Assembly \$600.00 in 1905 \$600. In 1896-97 \$1,200. The books in the department of the Auditor of state also show that Mr. Clark and the firm of Clark & Thompson of which Mr. Clark was a member, received for legal services in the matter of the State Dairy and Food Commissioner I cannot state the exact amounts I have not them

Q. (By Mr. Etling) Will you explain why they were not furnished in this case? There were a great many dates and the legislative year and the calendar year begin on the first day of January and the fiscal year in this case begins November 16th and there was a variance here and the report was very complicated and I did not want to disturb it as I understood there was to be called people from other departments on this.

Q. (By Mr. Kramer) Then the only thing you want the committee to understand was the fact that there were warrants issued in the firm of Clark & Thompson and to Mr. Clark as attorney. You do not have any knowledge that warrants were issued to Mr. Clark himself or that he was

the Mr. Clark of the firm? A. Yes I know personally he was a member of the firm of Clark & Thompson.

Q. Did you say you could state from your own knowledge that Mr. Clark was during the years he served as member of the general assembly member of the firm of Clark & Thompson? A. Yes, I know that they practiced under that name.

Q. Where did they practice? A. In Cleveland. Had office in the American Trust Building.

MR. B. S. BARTLOW.

The witness being produced and duly sworn, testified as follows:

EXAMINED BY MR. ETLING.

Q. State your full name to the stenographer, please. A. B. S. Bartlow.

Q. You are connected with the Dairy and Food Commissioner's office? A. Yes sir, I am chief of the division.

Q. Can you give us any information with reference to money drawn for services in the Dairy and Food Department by Mr. William T. Clark of the firm of Clark & Thompson during the years 1894-95-96-97? A. Yes sir, I have the annual reports of the Department with me, also the ledger of the Dairy and Food Commissioner's office for that period.

Q. What can you tell us as to the amounts he drew? A. Something over \$10,000.00.

REPORT OF THE COMMITTEE APPOINTED BY THE
SPEAKER OF THE HOUSE UNDER RESOLUTION NO. 8,
MR. GUTHERY, WHICH REPORT INCLUDES A FINDING
OF FACTS, DECISIONS OF COURTS AND CONCLUSIONS
OF LAW, TOGETHER WITH PRECEDENTS AND RECOM-
MENDATIONS OF THE COMMITTEE.

The Investigation Committee, from the testimony submitted to them under oath in the above matters finds the following facts:

ROBERT BLACK, OF HAMILTON COUNTY.

First: That Robert Black is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1st, 1913, and ending December 31, 1914.

Second: That Robert Black was employed as special counsel to represent the depositors of failed banks, under the direction of the Department of Banks and Banking of the state of Ohio.

Third: That his employment was casual, beginning about the sixth day of May, 1913, and ending about the 31st day of October, 1913, with the exception that one or two details remained unfinished at that time.

Fourth: That he acted as attorney for the depositors in the liquidation of the following banks:

Columbus Savings & Trust Co., Columbus.
Guarantee Banking & Trust Co., Mt. Vernon.
Bank of Wellston, Wellston.
Bank of Albany, Albany.
Metropolitan Banking & Trust Co., Cincinnati.
Mechanics' Bank of Toledo.
Citizens' Bank of Beach City.
Citizens' Bank of Mt. Eaton.
Murray City Savings Bank, Murray City.
West Side Dime Savings Bank, Columbus.
Bank of Fayette.
Bank of Amherst.
Osborn Bank.

Fifth: That he drew as compensation for said services \$2,876.35, and as expenses in the matter of said services \$429.40.

Sixth: That said compensation was paid for from the assets of the banks for whose depositors Mr. Black acted as special counsel and were approved by the judge of the common pleas court of the county in which the above banks were located.

MILTON A. WARNES, OF HOLMES COUNTY.

First: That Milton A. Warnes is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1st, 1913, and ending December 31, 1914.

Second: That Mr. Warnes was employed as automobile inspector in the department of registrar of automobiles. That his employment began July 15, 1913, and ended August 31, 1913. That his duties were the detection of the violation of automobile law.

Third: That he drew as compensation for said services one hundred and fifty dollars and as expenses in the matter of said services \$142.60; that said compensation was paid from the department of registrar of automobiles. The committee also finds that Mr. Warnes was employed for an indefinite period of time as special deputy superintendent of banks in the liquidation of the Citizens' Bank of Beach City, Stark County, Ohio, for the depositors of the Citizens' Bank and under the direction of the superintendent of banks and banking. His employment began October 1, 1913, and ended January 14, 1914.

Fourth: His duties were to represent the depositors of the Citizens' Bank of Beach City.

Fifth: That he drew as compensation for said services \$875.00 and his expenses in the matter of said services were \$125.00 a total of \$1,000.00.

Sixth: That said compensation was paid from the assets of the Citizens' Bank of Beach City. The committee also finds that Mr. Warnes resigned his position with the Citizens Bank of Beach City on October 14, 1913, but that his resignation was not accepted by the department of Banks and Banking until the payment of the first dividend, which occurred January 14, 1914.

CHARLES A. ORRISON, OF FRANKLIN COUNTY.

First: That Charles A. Orrison is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1st, 1913, and ending December 31, 1914.

Second: That Mr. Orrison was employed as clerk in the department of registrar of automobiles.

Third: That his employment began April 1, 1911, and ended December 31, 1912. That he was employed a second time beginning May first, 1913, and ended December 31, 1913.

Fourth: That his duty was to issue certificates to chauffeurs.

Fifth: That he drew as compensation for his services from May 1, 1913, to December 31, 1913, \$900.00, and as expenses in the matter of said services he drew nothing, total \$900.00.

Sixth: That said compensation was paid from the department of registrar of automobiles.

HARRY F. VOLLMER, OF CUYAHOGA COUNTY.

First: That Harry F. Vollmer is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Harry F. Vollmer was employed as agent by the Bureau of Labor Statistics of Ohio for an indefinite period.

Third: That his employment began on the 7th day of June, 1913, and ended October first, 1913.

Fourth: That his duty was to collect statistics for the labor bureau.

Fifth: That he drew as compensation for said services \$375.00 and as expenses in the matter of said services \$14.40, total of \$389.40.

Sixth: That said compensation was paid from the state treasury.

Mr. Vollmer states further that he was employed by the superintendent of public works of the city of Cleveland and worked by the hour and begun about October 1st, 1913, and has done no work since the beginning of the present session other than that as state representative.

JOHN C. HOFFMAN, OF HAMILTON COUNTY.

First: That John C. Hoffman is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That John C. Hoffman was employed as agent for the Bureau of Labor Statistics for an indefinite period.

Third: That his employment began on June first, 1913, and ended September 15, 1913.

Fourth: That his duty was to gather statistics for the Bureau of Labor Statistics.

Fifth: That he drew as compensation for said services \$350.00, and as expenses in the matter of said services \$19.50, total \$369.50.

Sixth: That said compensation was paid from the state treasury.

LAWRENCE BRENNAN, OF CUYAHOGA COUNTY.

First: That Lawrence Brennan is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Lawrence Brennan was employed as inspector under the Cuyahoga County Liquor License Board.

Third: That his employment began about October 15, 1913, and ended about November 18, 1913.

Fourth: That his duty was to inspect saloons and report to the license board.

Fifth: That he drew as compensation for said services \$108.33, and as expenses \$3.61, total of \$111.94.

Sixth: That said compensation was paid from the Liquor License Fund.

W. M. BROWN, OF ASHLAND COUNTY.

First: That W. M. Brown is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That W. M. Brown was employed as inspector of commercial feed stuffs and fertilizer under the agricultural department.

Third: That his employment was for eighteen days prior to November 18, 1913.

Fourth: That his duty was to inspect commercial feed stuffs and fertilizers found on sale and to collect samples of the same to determine their purity or adulteration.

Fifth: That he drew as compensation for said services \$90.00 and as expenses in the matter of said services \$5.00, total \$95.00.

Sixth: That said compensation was paid from the state treasury.

LOUIS H. CAPELLE, OF HAMILTON COUNTY.

First: That Louis H. Capelle is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Louis H. Capelle was appointed assistant prosecuting attorney for Hamilton County by the Hamilton county prosecuting attorney.

Third: That his employment was to begin January 1, 1914.

Fourth: That he drew no compensation nor did he perform any services.

SAMUEL J. BLACK, OF WYANDOT COUNTY.

First: That Samuel J. Black of Wyandot is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Samuel J. Black was employed as secretary of the Ohio Penitentiary Commission.

Third: That his employment began August, 1913 and he is to hold his position until the Commission has completed its work.

Fourth: That his duties are such as a secretary usually performs.

Fifth: That he drew nothing as compensation for said services and his expenses in the matter of said services were \$262.20, total \$262.20.

Sixth: That said expenses were paid from the appropriation for the Ohio Penitentiary Commission.

Mr. Black further states that he has performed no service as secretary since the beginning of the present session of the legislature.

CHARLES L. SWAIN.

First: That Charles L. Swain is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Charles L. Swain was employed under section 4420 of the General Code of Ohio, for the village of Arlington Heights.

Third: That his employment began January 1, 1912, and that he was re-employed January 1, 1914.

Fourth: That his duties are to confer with and advise the mayor and other officials of the village. He has represented the village in no law suits.

Fifth: That he drew as compensation fifty dollars per year.

Sixth: That said compensation is paid from the village treasury.

Seventh: That he is not a resident of Arlington Heights.

C. APPENZELLER.

First: That C. Appenzeller is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Mr. C. Appenzeller is a contractor and took contracts for building improved roads. He was awarded the contracts under the Highway Department. He bid on contracts during the year 1913. He drew under the contract for such services about \$7,800.00. Said sum being paid from the Highway Department funds.

Mr. Appenzeller was low bidder on all contracts which he was awarded, sealed bids being submitted.

HOMER L. HASTINGS.

First: That Homer L. Hastings is a member of the House of Representatives of the 80th General Assembly of Ohio, his term beginning January 1, 1913, and ending December 31, 1914.

Second: That Homer L. Hastings took contracts for building improved roads. He was awarded the contracts under the Highway Department and bid on these contracts in April, 1913. His work on these contracts ended December, 1913.

Mr. Hastings also did county work on the highways. He drew under the contract \$15,965.00, said sum being paid from the Highway funds. Mr. Hastings was awarded the said contracts by virtue of being lowest bidder, sealed bids being submitted in all cases.

CONTINGENT FUND.

The committee finds on investigation that no member of the 80th General Assembly has drawn any money from the Governor's contingent fund.

PRECEDENTS.

The Resolution under which this committee was appointed asks for a report of precedents, if any.

The committee finds that the records disclose numerous precedents similar to those set forth in the above finding of facts with reference to members of the 80th General Assembly. The records disclose that there has been scarcely an Assembly since the 71st that has not had some members drawing money from the public funds in addition to their salary as members.

Out of the numerous cases of dual salaries which the records disclose are the following:

Horace Ankeney, member of the 75th General Assembly, 1902-03, drew \$1,200.00 salary. In addition drew from the Department of Dairy and Food Commissioner in the year 1903, \$1,666.66.

William T. Clark, member of the 71st-72nd General Assemblies, 1894-95-96-97, drew \$2,400.00 salary. Drew for services in the Department of Dairy and Food Commissioner in the years 1895-96, \$964.50. The law firm of which William T. Clark is senior member drew in the years 1894-95-96-97, not less than \$10,000.00.

Orla Harrison, member of the 75th-76th General Assemblies for the years 1902-03-04-05, drew \$2,400.00 salary. Drew for services as special counsel under the attorney general for work in Dairy and Food Department in the year 1905, \$3,476.85, in the year 1904, \$242.15.

Harry Mason, member of the 73rd General Assembly, 1898-99, drew as salary \$1,200.00. Drew as attorney fees for Department of Dairy and Food Commissioner in 1898-99, \$1,665.40.

Richard Reynolds, member of the 77th General Assembly, 1906-07, drew as salary \$1,200.00. In addition drew \$25.00 on voucher issued by the secretary of state in the year 1907 for labor as carpenter.

David L. Sleeper, member of the 72nd General Assembly, 1896-97, drew \$1,200.00 salary and drew for services as attorney for Dairy and Food Commissioner's Department in 1897, \$423.00.

Charles T. Williams, member of the 75th-76th General Assemblies, 1902-03-04-05, drew \$2,400.00 salary. Drew for services in the Dairy and Food Department in 1903, \$591.60, in 1904, \$791.05, in 1904 for legal services as special counsel in the attorney general's office \$1,249.98, and for services in the attorney general's office in 1905, \$2,499.95.

The investigating committee in arriving at its conclusions of law which should be applied to the finding of facts ascertained in its in-

vestigation has used the principles of law laid down in the following cases based upon the constitutional provisions, namely:

"Article II, Sec. 4. No person holding office under the authority of the United States, or any lucrative office under the authority of this state, shall be eligible to, or have a seat in, the General Assembly; but this provision shall not extend to township officers, justices of the peace, notaries public, or officers of the militia.

"Article II, Sec. 31. The members and officers of the General Assembly shall receive a fixed compensation, to be prescribed by law, and no other allowance or perquisites, either in the payment of postage or otherwise; and no change in their compensation shall take effect during their term of office."

In the 61st Ohio State at page 62, the supreme court was called upon to give a legal construction of the word "office" and laid down the law as follows:

"A clerk in the United States pension agency, serving by appointment for a period not exceeding three months, and compensated with money of the United States appropriated for that purpose by congress, having no duties defined by law nor discretion to act independently of the direction of the pension agent, is not "holding an office under the authority of the United States" within the meaning of Section 4 of Article 2 of the constitution of the state which renders persons so holding office ineligible to membership in the general assembly."

"Since the relator performs no duties except such as by law are charged upon his superior, the pension agent, his position is not an office but merely an employment. The subject appears to be sufficiently discussed in *State ex rel v. Brennan* 49 Ohio St., 33, and *State v. Kendle*, 52 Ohio St., 346."

The contention in this case was as to whether a clerk in the United States pension office is an "officer".

In the 49th Ohio State page 33, the question arose as to whether the position of "stationery store keeper" for Hamilton County was an "office". In determining this question the court gave a legal construction of the word "office" and found:

"The act of March 14, 1890 (87 O. L. 439), which makes provision for the appointment by the clerk of the court of common pleas of a stationery storekeeper for Hamilton county, and devolves upon such storekeeper the duty to purchase and have charge of all blank books, stationery, printing and office appliances for the offices of that county, fixing an annual salary of \$1,500, to be paid by the county treasurer from the general fund of the county, and requiring a bond in the sum of \$5,000, for the faithful performance of his duties, is an attempt to constitute a county office and provide for the filling of the same, for a full term by appointment."

"It is not important to define with exactness all the characteristics of a public office, but it is safely within bounds to say that where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as denotes duration and

continuance, with independent power to control the property of the public, or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. And where such duties are wholly performed within the limits of a county, and for the people of that county, the salary to be paid by the disbursing officer of the county, from the funds of the county, the office is a county office, and; as one who is lawfully invested with an office is an officer, the person lawfully filling such place is necessarily a county officer.

"From these definitions and illustrations it is clear that the position created by the act in question is an office, and that the defendant, if selected in the manner prescribed by law, is an officer. Upon him is imposed the right to exercise an employment in the purchase and control of property of the public, not as a temporary, casual act, but as a continuous duty. He is to exercise public functions in the supposed interest of the people. These he exercises independently, for others, and without their leave. He is given by the act itself the title or designation of "stationery store-keeper", and it is not without significance that he is also denominated an "officer". He is to give bond for the faithful performance of his duties, and is entitled to the yearly salary affixed by the act. The office is an independent one. Its duties are not devolved upon the occupant by a superior, as ministerial duties may be devolved upon a deputy, but are imposed by the statute."

The court held that this position was a county office and as such could not be filled by appointment.

In 52 Ohio State at page 346 the court was determining the question as to whether "jury commissioners" are "officers" and in doing this laid down the following principles of law: At page 356 of the opinion the court says:

"The case of *State v. Brennan*, 49 Ohio St., 33, is relied on. In that case the act, held invalid, created an office of "stationery storekeeper" for Hamilton county, to be filled by the appointment of the clerk of the court of the county. It was a separate and distinct office provided for that county. The power of the legislature to provide for the appointment of persons to act as assistants in an office filled by election has not, and cannot well be questioned. It is on this principle that the appointment of deputy clerks, deputy sheriffs, and so forth, are made and recognized, each of whom perform many, and in some cases all, the duties of the office in which he acts as deputy. So as to these jury commissioners: They are appointed by the common pleas judges to assist in the administration of justice, as are master commissioners and court constables. They are but handmaids of the court in the selection of judicious and discreet persons to serve on such juries as are required in the trial of causes, and the presentment of indictments. A similar view was adopted by the Supreme Court of West Virginia, in the case of *the State v. Mounts*, 36 W. Va. 179, 184."

The court held that "jury commissioners" were not "officers".

In the 45th Ohio State at page 196, the court was asked to pass upon

the question as to whether the president of a city council is an "officer" and found as follows:

"The presidency of a city council is a public office, within the purview of section 6760 of the Revised Statutes, authorizing an action in quo warranto to be brought against a person who usurps, intrudes into, or unlawfully holds, or exercises, a public office."

"II. We are also of the opinion that the president of a city council is an officer, and his station a public office, within the purview of section 6760. It is true the place is without emolument, but that is not a necessary incident to an office; nor is it to be denied that character, because the incumbent is chosen by a limited elective body, composed of public officers; many public officers are so chosen. The term of his office is fixed, and its functions, which are of a public nature, and for public purposes, are bestowed and prescribed by statute.

"These public functions, pertaining to the office of president, are in addition to, and different from those of members of the council. He is, by virtue of his position, the presiding officer of the organized body, appoints its committees, and becomes, ex-officio, a member of certain boards; and all by-laws, resolutions and ordinances are required to be authenticated by his signature. Of such consequence was the office considered by the legislature, that it was deemed proper to provide that no business should be transacted by the council until an occupant was chosen.

"Besides, it is of some significance that the statute speaks of the president of the council as an officer. Section 1676, of the Revised Statutes, provides that "if the members-elect of the council, and the members holding over, then present, constitute a quorum, they shall, forthwith, proceed to organize, by electing a president and president pro tempore, from their own number, a clerk, and such other officers, necessary to perfect their organization, as by ordinance may be provided." It is urged, however, that this does not recognize, or designate the president as an officer, because the phrase "such other officer" refers to officers other than the clerk. But it undoubtedly refers equally to each of the other incumbents of the places to be filled by election, in perfecting the organization. This conclusion is fortified by the latter clause of the section, providing that "the mayor shall be, ex-officio, president at the time of such organization, and in case of a tie vote in the choice of any officer at such organization, the mayor shall give the casting vote." The purpose of the meeting is to organize. The election of the president is a part of, and necessary to such organization, as much so as the election of the clerk; and the mayor may give the casting vote, in case of a tie in the choice of a president, as well as in choosing a clerk. To hold otherwise might wholly defeat the object of the section, by preventing a speedy organization. We have not overlooked section 1707, which specifies the officers of cities of the second class. Admittedly there may be other officers of such cities, than those therein named—notably members of the city council. Nor do we regard section 1717 inconsistent with the view expressed."

In this case the court held that the president of the city council is an "officer".

In 25th Ohio State at page 21 the court passed upon the proposition as to whether a deputy in the probate judge's office is an "officer" and laid down the following principles of law:

"Section 4 of article 15 of the state constitution, which provides that "no person shall be elected or appointed to any office in this state unless he possess the qualifications of an elector," does not apply to the office of deputy clerk of the Probate Court, and therefore a female is eligible to that office, and may lawfully discharge its duties."

"Prior to the creation of a Probate Court, and while the power to issue marriage licenses, and to administer the necessary oaths pertaining thereto, was vested in the clerk of the Court of Common Pleas, it is quite clear that these were regarded as ministerial and not as judicial duties. And we see nothing in the act (S. & C. 1212, sec. 2) transferring this power from the clerk to the Probate Court, or in any other act, to show that the legislature intended to change the legal character of the duties. If they were ministerial in the hands of the clerk, they remained ministerial in the hands of the probate judge. In the absence of a deputy clerk, the probate judge is his own clerk, and responsible for acts done or omitted as such clerk, on the same principles applicable to other ministerial officers. The provision of law authorizing him to appoint a deputy clerk plainly implies that he is his own clerk—that he is both court and clerk; for there can be no deputy where there is no principal. If this be a correct view of the law—and we do not see how it can well be doubted—then it follows that the deputy clerk of the Probate Court is authorized to administer oaths such as the one in question; the statute authorizing his appointment (S. & C. 1214, sec. 10) provides, that "said deputy may do and perform any and all the duties appertaining to the office of clerk of said court and administer oaths in all cases in which it is necessary, in the discharge of his duties as such deputy clerk."

"The acts of the deputy are in law the acts of the principal, and he is responsible for them. The deputy is appointed by the principal, can be appointed by no one else, and is removable at his pleasure. The appointment of deputy clerk of the Probate Court need not be approved by any other person or court; he is entitled to no salary or compensation, except what may be allowed him by his principal; and he can lawfully do no act against the will of his principal. Such an office does not seem to come within the definition laid down by the judge delivering the opinion of this court in the case of *The State v. Kennon*, 7 Ohio St. 546—namely, "an employment on behalf of the government, in a station or public trust, not merely transient, occasional, or incidental." Without undertaking to decide upon the correctness or incorrectness of this definition, as applicable to the present case, we all unite in the opinion that the office in question here is not within the purview of the constitutional prohibition named."

In 57th Ohio State at page 415, the court was called upon to pass upon the question as to whether a "fireman" is an "officer", and laid down the following propositions in syllabi 2 and 3.

"To constitute a public office, against the incumbent of which quo warranto will lie, it is essential that certain independent public duties, a part of the sovereignty of the state, should be appointed to it by law, to be exercised by the incumbent, in virtue of his election or appointment to the office, thus created and defined, and not as a mere employee subject to the direction and control of some one else.

"Where, in pursuance of an ordinance, a fireman is employed by the council to perform the usual duties of a fireman; who has no control of the fire department, or its property other than in the use of it; performs its duties subject to the chief of the department and the city council; and is paid by the month for his services, he is not a public officer; and cannot be ousted from his employment by the proceeding in quo warranto, on the ground that he should have been appointed by the mayor with the advice and consent of the council."

"But the character of an office cannot be attached to a position by a name merely. Whether it be an office or not, will depend upon the nature and character of the duties attached to it by law.

"Many efforts have been made to define a public office; and it is only the incumbent of such an office whose rights can be challenged in a proceeding in quo warranto. But it is easier to conceive the general requirements of such an office, than to express them with precision in a definition that shall be entirely faultless. It will be found, however, by consulting the cases and the authorities, that the most general distinction of a public office is, that it embraces the performance by the incumbent of a public function delegated to him as a part of the sovereignty of the state. Thus in Meachem's Offices and Officers, section 4, it is said: "The most important characteristic which distinguishes an office from an employment or contract, is that the creation and conferring of an office involves a delegation to the individual of some of the sovereign functions of government, to be exercised by him for the benefit of the public; that some portion of the sovereignty of the country, either legislative, executive, or judicial, attaches, for the time being, to be exercised for the public benefit. Unless the powers conferred are of this nature, the individual is not a public officer." So in High on Extraordinary Legal Remedies, section 625, it is said: "An office, such as to properly come within the legitimate scope of an information in the nature of a quo warranto, may be defined as a public position, to which a portion of the sovereignty of the country, either legislative, executive, or judicial, attaches for the time being, and which is exercised for the benefit of the public." And in the case of *Darley v. The Queen*, 12 Cl. & Fin. 520, which is generally cited as a leading case, and where the question was whether the information would lie against the treasurer of the city of Dublin, Tindal, C. J., said: "After the consideration of all the cases and dicta on the subject, the result appears to be that this proceeding by information in the nature of a quo warranto will lie for usurping any office, whether created by charter alone, or by the crown with the consent of parliament, provided the office be of a public nature, and a substantive office, not merely the function or employment of a deputy or servant held at the will and pleasure of others, for, with respect to such an employment, the court certainly

will not interfere, and the information will not properly lie." The fact that a public employment is held at the will or pleasure of another, as a deputy or servant, who holds at the will of his principal, is held, by the judges of the Supreme Court in an opinion delivered to the legislature of the state of Maine, to distinguish a mere employment from a public office, for in such cases no part of the state's sovereignty is delegated to such employees. 3 Greenleaf, 481. The case of *State ex rel v. Brennan*, 49 Ohio St. 33, is not at variance with these views. It is quite clear from what has been said that the "Stationery Storekeeper" under consideration in that case was a public officer. He was charged with the purchase and safe-keeping of the stationery required by the county. The judge in delivering the opinion, did not undertake to give an exhaustive definition of a public office; but did say, that "it is safely within bounds to say that where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as denotes duration and continuance, with independent power to control the property of the public, or with functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office." Here, and throughout the opinion, prominence is given to the fact, that a public officer is one who exercises, in an independent capacity, a public function in the interest of the people, by virtue of law, which is only saying in another form, that he exercises a portion of the sovereignty of the people delegated to him by law.

"Applying what has been said to the case before us, and it clearly appears, as we think, that the firemen, other than the chief, employed by the council under the ordinance of June 23, 1897, are not public officers. They have no control of the fire department, nor of any of its property for any purpose, other than to use it in the extinguishment of fires whenever the occasion requires. They are subject on all occasions and in whatever they do in the course of their employment, to the direction and control of the chief of the department. They receive for their services \$50.00 per month, and may be discharged at any time by the council. Hence they are simply persons in the employment of the fire department, and are not public officers of any kind.

"The fact that their employment requires skill and experience does not alter the case. Skill and experience do not constitute a public office; they are simply requirements of suitability for the place; and are no more attributes of a public office than of a private employment."

The case reported in 57 Ohio State at page 430 is on the same point.

In the 56th Ohio State, page 340, the court had to decide the question as to whether the deputy treasurer is an "officer" and on page 348 of the opinion the court says:

"But we have found no provision of law by which a deputy, or clerk of a county treasurer is charged with the performance of any of the duties above enumerated. The law goes no further than to authorize the treasurer, at his pleasure, to appoint one or more deputies, who hold their appointment only during the pleasure of

the principal, who is answerable for the proceedings and misconduct of the deputy, and may, for his own protection, take a bond with sureties for the faithful performance of the services required of the deputy; but the latter takes no oath of office, nor gives bond to any public authority, and is in no sense a public officer, but a mere agent of the treasurer. Meachem on Public Officers, section 38. True, the statute confers authority on the deputy, during his appointment, to perform the duties of his principal; but that falls short of charging the former with the performance of the duties of the latter. The difference is the substantial one between an authority given to do an act, and enjoining the performance of the act as a duty."

In the 61st Ohio State page 171, the court passed upon the question as to whether a county warden is an "officer" and found in the syllabus as follows:

"The distinguishing characteristic of a public officer is, that the incumbent, in an independent capacity, is clothed with some part of the sovereignty of the State, to be exercised in the interest of the public as required by law. The office must be of a continuous character as opposed to a temporary employment, though the time be divided into terms to be filled by election or appointment in accordance with the genius of our system of government; and a bond and an oath of office are generally, though not always, required for the faithful performance of the duties of the incumbent; and compensation is made either by salary or fees, or both. Meachem, Officers and Offices, section 4; High on Leg. Rem., section 625; State v. Brennan, 49 Ohio State, 33; State ex rel v. Jennings, 57 Ohio State, 415.

"Here then are all the distinguishing characteristics of a public officer as usually defined and understood: A warden, denominated a "county warden", is to be appointed in each county of the State; the appointment is not for a temporary purpose, the office is made continuous, though the appointment of an individual to fill it, is for a term, one, as just seen, of the usual characteristics of an office; a bond is required for the faithful performance of the duties, and these duties are of a public character — the enforcement of the laws of the state in their "respective counties," made for the preservation of fish and game. Moreover, by other sections of the Revised Statutes (6966-2 and 6968), a county warden acts as a constable or sheriff in prosecutions instituted by him; makes arrests, subpoenas witnesses and jurors, and has charge of the jury in its retirement; and, on conviction, conducts the defendant to the jail of the county. The commissioners of the county are required to allow him a salary, not exceeding three hundred dollars annually; and, is also entitled to certain fees, such as is allowed sheriffs and constables for similar services. These wardens are not only appointed for their respective counties, but their duties are limited to "policing the territory" thereof. Hence, their duties being of a public nature and limited to their counties, they are, in every sense, as much county officers within the sphere of their duties, as are county sheriffs; and are, therefore, elective and not appointive officers."

In the 7th Ohio State at page 546, the court arriving at a determination as to whether certain appointees were "officers" or not, laid down the following principles of law.

"Emolument is a usual but not necessary element to constitute an office. Authority and power relating to the public interests, conferred by statute, and which may be vested in a board or individuals by election or the appointing power of the State, create an office. Whatever less than this may create an office, it is unnecessary to determine."

"The first question which arises, then, in considering whether the power here assumed by the Legislature is within the prohibition of this section of the constitution, is this:

"Do the powers and duties devolved on the defendants by the sections of the acts above quoted, constitute them officers, or not?"

"What is an office? Among lexicographers, Webster defines the word to signify "a particular duty, charge or trust conferred by public authority and for a public purpose." In a case in 20 John. Rep. 492, Platt, J., delivering the opinion of the court, defines the legal meaning of the word to be, "an employment on behalf of the government, in any station or public trust, not merely transient, occasional, or incidental."

"If we accept either or both of these definitions as substantially correct, it is clear to our minds, that if these statutes are held valid, these defendants are officers. Theirs is a public duty, charge and trust, conferred by public authority, for public purposes of a very weighty and important character. Their duties, their charge and trust, are not transient, occasional, or incidental, but durable, permanent, and continuous."

The case of State ex rel. Mayers v. John Coon, Jr., 16 Ohio Circuit Decisions, page 241, is a case wherein the court found that the clerk of the board of education was an "officer". The court arrived at its conclusion because of statutory duties imposed upon the clerk in addition to clerical duties required of him.

In 42 N. Y. Superior Court Reports, 481, the court laid down the following:

(a) Office. It is a right to exercise a public function or employment, and take the fees and emoluments belonging to it. It involves the idea of tenure, duration, fees or emoluments and powers as well as that of duty. It implies an authority to exercise some portion of the sovereign power of the state, either in making, administering or enacting the laws,

(b) Officer. One who holds an office.

(c) Employee. One who receives no certificate of appointment, takes no oath of office, has no term or tenure of office, discharges no duties, and exercises no powers depending directly on the authority of law, but simply performs such duties as are required of him by the persons employing him, and whose responsibility is limited to them is not an officer and does not hold an office."

1. *"This although the persons so employing him are public officers, and his employment is in and about a public work or business."*

At page 488 of the opinion.

"The distinction is plainly taken between a person acting as a servant or employee, who does not discharge independent duties, but acts by direction of others, and an officer empowered to act in the discharge of a duty,

or trust, under obligations imposed by the sanctions and restraints of legal authority in official life The plaintiff received no certificate of appointment — took no oath for the faithful performance of his duties — had no time or tenure of office — discharged no duties, and exercised no powers depending directly upon the authority of law. He was simply the servant of the commissioners of the park and responsible only to them."

In the 76 O. S. page 210, the court was deciding the proposition as to whether the superintendent of a county infirmary is an officer, and on page 223, the court says:

"What attribute of sovereignty of the state passes to the superintendent of a county infirmary by virtue of section 962? He is not elected by the people of the township or county, but is appointed by the board of directors; in this case for a specified term, for a compensation which they determine. He is to reside in some apartment of the infirmary or building contiguous thereto, and shall perform such duties as the directors may impose, and shall be governed in all respects by their rules and regulations, and shall not be removed except for good and sufficient cause. Because conforming to such rules and regulations, the statute requires that in a book furnished him by the directors for the purpose, he shall make certain entries of information concerning the persons who are admitted to the infirmary and who are born or die therein, or are discharged therefrom. But the products of the infirmary are not at his disposal, for the directors may sell all such products not necessary for the use of the same. * * * So it will be seen that he is a mere person or contractor under oath and bond, limited on all sides in his authority and not authorized by law to contract for the supplies for the infirmary except in a limited degree. * * * Is it possible that any of the sovereignty of the state or of either of its great departments filters through the meshes of this statute into the superintendency of the infirmary so as to make it a public office? Has he any police power, or any other characteristic of the sovereignty of the state, or of any department of its government? We think not. It is his duty to aid in administering public charity, but he does it under directions of the board, and he has no independent function in that respect. His duties are clerical and supervisory."

On page 222, of the opinion, the court quotes Meachem's Offices and Officers, with approval, as follows:

"The most important characteristic which distinguishes an office from an employment or contract, is that the creation and conferring of an office involves a delegation to the individual of some of the sovereign functions of the government, to be exercised by him for the benefit of the public; that some portion of the sovereignty of the country, either legislative, executive or judicial, attaches for the time being, to be exercised for the public benefit. Unless the powers conferred are of this nature, the individual is not a public officer."

In this case the court found that a superintendent of the county infirmary is not an officer.

In the 84 O. S., at page 143, the court was deciding the question as to whether a supervising judge is an officer, and on page 146, of the opinion, the court says:

"The statute does not direct the taking of an oath of office, which the constitution, Sec. 7, of Article XV., requires of officers, nor is it customary for any oath to be administered to such judge as such; it does not require any bond; it does not provide any emolument, it does not provide for the issuing of any commission, nor does it provide any quarters where the appointee may discharge his duties. It may be that neither of these provisions is essential in an act creating an office, and we suppose that neither is essential, but the absence of all of them is of significance in arriving at the intent of the general assembly in enacting these sections. * * * True, such judge is designated as supervising judge. But, as held by this court in 57 O. S., 415: "The character of an office cannot be attached to a position by a name merely. Whether it be an office or not, will depend upon the nature and character of the duties attached to it by law'".

At page 149, the court says:

"We have not undertaken to enter the field of definition of the term "office" or "officer". * * * One which seems to have met with most favor, perhaps, is that an office is a public position to which a portion of the sovereignty of the country attaches, and which is exercised for the benefit of the public. And yet, without a satisfactory definition of what is and what is not, the sovereignty of the country, this definition seems to fail to adequately define. Manifestly, however, each case should be decided on its peculiar facts, and involves necessarily a consideration of the legislative intent in framing the particular statute by which the position, whatever it may be, is created."

In this case it is to be noted that the court lays great stress upon the intention of the legislature, as set forth in the statutes, creating different positions. Hence we now pass to a reference to the different statutes under which the parties charged secured their positions.

First: Black of Hamilton, and Warnes of Holmes, received their positions in the Banking Department of the State by virtue of Sec. 742-2, which, in part, reads as follows:—

"The superintendent of banks may under his hand and official seal appoint one or more special deputy superintendents of banks as agent or agents, to assist him in the duty of liquidation and distribution, — a certificate of appointment to be filed in the office of superintendent of banks and a certified copy in the office of the clerk of the county in which the office of such corporation, company, society or association was located. The superintendent of banks shall require from such agent or agents such surety for the faithful discharge of their duties as he may deem proper."

Sec. 742-4 General Code, provides as follows:

"The expenses incurred by the superintendent of banks in the liquidation of any bank in accordance with the provisions of this act, shall include the expenses of deputy or assistants, clerks and examiners employed in such liquidation, together with reasonable attorney fees for counsel employed by said superintendent of banks in the course of such liquidation."

Second: As to the employment of Orrison of Franklin and Warnes of Holmes, in the Automobile Department of the State, Secs. 6294, et seq., places the Automobile Department in charge of the Secretary of State.

Sec. 198 of the General Code provides, among other things, as follows:

"He shall provide for necessary clerical and other assistance to carry out the provisions of this chapter."

Third: As to Black of Wyandot, Sec. 2, of Vol. 103 O. L., 247, provides as follows:

"The governor shall appoint a secretary to said commission who shall serve without compensation, and shall be removable at any time at the pleasure of the governor."

Fourth: As to Capelle of Hamilton county, Sec. 2915 of the General Code provides that:

"The prosecuting attorney may appoint such assistants, clerks and stenographers as he deems necessary for the proper performance of the duties of his office, and fix their compensation, not to exceed in the aggregate the amount fixed by the judge or judges of the court of common pleas."

Fifth: As to Brown, of Ashland, Sec. 1134, General Code, provides as follows:

"For the purpose of analysis and comparison, the secretary of the state board of agriculture, or a person appointed by him, may take a quantity not exceeding two pounds from any carload, quantity in bulk or package of feed stuffs for sale within this state. et seq."

Sixth: As to Vollmer of Cuyahoga county and Hoffman of Hamilton county, Sec. 877, of the General Code, provides that:

"The commissioner of labor statistics is authorized to appoint special agents who shall perform such duties as he may require. In the performance of such duties, special agents may visit delinquent firms and collect statistics, and shall have the power conferred by law upon the commissioner, the compensation and travelling expenses of special agents shall be paid from the contingent fund of the bureau."

Seventh: As to Brennan of Cuyahoga county, Sec. 13, 103 O. L., page 220, provides as follows:

"Each board may employ such clerks and employes as it deems necessary for the transaction of business and fix their compensation, and may provide itself with books, stationery and other paraphernalia, and may incur such other expenses for its operation as may be necessary to carry on its business."

And further provides among other things that:

"The members of the county board, its secretary and employes shall be entitled to receive their actual and necessary expenses while travelling on the business of the board."

Eighth: As to Swain of Hamilton county, Sec. 4220, of the General Code, provides:

"When it deems it necessary, the village council may provide legal counsel for the village, or any department or official thereof, for a period not to exceed two years, and provide compensation therefor."

Section 3809, of the General Code, provides, among other things, that the requirement of a certificate that the necessary money is in the treasury shall not apply to contracts made by a village for the employment of legal counsel.

Ninth: As to Appenzeller of Darke county and Hastings of Noble county, the committee finds that the nature of the employment of these two members by virtue of their contract with the highway department was of such a nature that it cannot either directly or indirectly be associated with the term "office," hence we find that the provision of the Constitution does not apply to these two members.

CONCLUSIONS OF LAW.

First: There is nothing in the common law to prevent a man holding two offices provided the duties of said offices are not inconsistent.

Second: The statutory law of our state contains nothing whatever in reference to members of the General Assembly holding another office at the same time he holds the office of member of the General Assembly.

Third: Section 4 of Article 2, of our Constitution provides:

No person holding office under the authority of the United States, or any lucrative office under the authority of this state, shall be eligible to, or have a seat in the General Assembly; but this provision shall not extend to township officers, justices of the peace, notaries public or officers of the militia.

Fourth: The courts of our state as well as the courts of other states distinguish carefully between an "office" and an "employment."

Fifth: An "office" is a position created by the legislature of the state and to which position certain duties attach which are separate and distinct from the duties of any other position, and to the occupant of which position certain sovereign powers are given, either legislative, executive or judicial.

Sixth: An "employment" is a position to which no duties separate and distinct from the duties of other positions attach, and the occupant of which position performs certain duties devolved by law upon some other offices or officers and to which other of the officer or officers he is responsible.

Seventh: From the findings of facts, the holding of the courts, the statutory provisions set out in this report and from our conclusion of the law, the committee concludes that none of the members charged with the violation of section 4, of article 2 of our Constitution held an "office" but a mere "employment." Their tenure of office, their emoluments, their duties all emanated from their employers.

Eighth: We therefore find that none of the persons so charged violated the common law nor the provisions of our statutory law nor the Constitution.

RECOMMENDATIONS.

That the practice of governmental patronage extending into the legislative branch may become a prominent mischief in the exercise of the free and unhampered mind in the enactment of legislation, is beyond question.

Let it be understood however, that the evidence presented to this committee does not prove the existence of any such corrupt influence, either in the precedents or in the cases of the 80th General Assembly. Although it is true that this practice of extending patronage to the members of the General Assembly has been permitted for many years, still, it cannot be said with any degree of credibility that any justification for the continuance of an evil can be found in precedent.

That the opportunity exists for undue influence to sift through the meshes of political manipulations to the detriment of the best interests of the people and jeopardize the integrity of the public service is a sufficient reason for the annihilation of the practice.

It is the opinion of your committee that an impassable barrier should be constructed by proper legislation to remove the possibility of rewarding legislative activity with lucrative employment or appointment.

We do therefore respectfully recommend that the Governor provide by message to the General Assembly for the adoption of such legislation as will prohibit the practices herein complained of.

We do further recommend that this 80th General Assembly take the necessary legislative procedure to effectually carry out the above recommendation.

JOHN F. KRAMER, *Chairman.*

S. H. WILLIAMS, *Secretary.*

W. T. COLTER,

ALTON H. ETLING,

Committee.

INDEX TO THE JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
(359)

TABLE OF CONTENTS.

- I.—BILLS OF THE HOUSE OF REPRESENTATIVES.
 - II.—BILLS OF THE SENATE.
 - III.—HOUSE JOINT RESOLUTIONS.
 - IV.—SENATE JOINT RESOLUTIONS.
 - V.—HOUSE RESOLUTIONS.
 - VI.—PERSONAL INDEX OF MEMBERS OF THE HOUSE OF REPRESENTATIVES.
 - VII.—LIST OF SECTIONS OF THE GENERAL CODE AFFECTED BY HOUSE BILLS INTRODUCED.
 - VIII.—GENERAL INDEX.
 - IX.—MISCELLANEOUS INDEX.
-

EXPLANATION.

To find the proceedings on any bill refer to the subject under the head "General Index," and, ascertaining the number of the bill, its course may be traced by referring to that portion of the index under "Bills of the House of Representatives," or "Bills of the Senate," as the case may be. The figures to the right of the titles of bills refer to the pages of the main portion of the Journal where the proceedings are set forth.

Petitions and remonstrances presented, names of persons, etc., may be found in the "Miscellaneous Index."

Figures in the "Personal Index" of members of the House refer to pages of the main portion of the Journal.

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	Author and Title.	Introduction and First Reading.	Referred.
1	Mr. Warnes. To amend sections 6301 and 3609 of the General Code (as contained in the act entitled "An Act to amend sections 6290 et al., of the General Code", 103 O. L. page 763), relating to motor vehicles, by subdividing sections 6301 into section 6301 and section 6302, by changing the section number 3609 to 6309 and amending said section	22	25
2	Mr. Welsh. To amend section 2269 of the General Code, relating to the publishing and distribution of the annual reports of the appointive state officers and boards.....	22	25
3	Mr. Snyder, of Hamilton. To amend sections 4949, 4952, 4963, 5004, 5006, 5018, 5094, 5097 and 5098 of the General Code, to supplement sections 4828 by enacting supplemental sections to be known as 4828-2 and 4828-3 and to repeal section 4968 and supplemental section 5018-1 as contained in an act entitled "An Act to supplement section 5018 of the General Code by the addition of a section to be known as section 5018-1, relating to the form of ballots", relative to the nomination and election of United States senators.....	22	25
4	Mr. Etling. To supplement section 9955 of the General Code by the enactment of supplemental sections 9955-1 and 9955-2, to authorize the interchangeable use of the words "academy", "college" and "university".....	23	25
5	Mr. Guthery. To grant additional powers to banking corporations organized under the laws of Ohio.....	23	25
6	Mr. Behne. To amend section 246 of the General Code, providing for the issuance of duplicate warrants in certain cases	23	25
7	Mr. Clarke. To supplement section 131 of the General Code by section 131-1 relating to affidavits by notaries public.	23	25

BILLS OF THE HOUSE OF REPRESENTATIVES.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post-poned.	Reconsidered.	Action in Senate.	Enrolled and Signed.
40	64	40 64	66	50 70	66			104	196
28	33	33	33	70-93 99-110 135-141 147-148 159	33			56	222
40	67	40	68	50	68			102	196
29	34		34		34			69	111
81	91	81 91	93	185-197 214	93			179	224
28	32		32		32			103	196
39	49	39	49		49			109	196

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Number.	Author and Title.	Introduction and First Reading.	
		ing.	Referred.
8	Mr. Fellingner. To make further provision for collecting, installing and maintaining an exhibit of the products and resources of the state of Ohio at the Panama-Pacific International Exposition in 1915 and to make an appropriation therefor	23	26
9	Mr. Snyder, of Pickaway. To amend section 12842 of the General Code, relating to perjury in connection with nominating, initiative, supplementary, and referendum petitions..	23	26
10	Mr. Shanley. To supplement section 976 of the General Code by the enactment of supplemental sections 976-1, 976-2 and 976-3, to regulate and prohibit solid shooting in coal mines	23	26
11	Mr. Mills. To amend sections 3939, 3949 and 3927 of the General Code, to carry out the provisions of section 4 of Article 18 of the constitution of Ohio, and to provide for the sale of bonds of small denomination issued by municipalities for public utilities.....	23	26
12	Mr. Chapman. To amend section 934 of the General Code, relative to emergency supplies which are to be kept for use at the mines.....	23	26
13	Mr. Lowry. To amend sections 4679, 4682-1, 4683, 4684, 4685, 4687, 4688, 4689, 4692, 4696, 4712, 4714, 4715, 4726, 4727, 4628 to 4744 inclusive, 4747, 5653, 7705, 7706, 7730, 7731, to add supplementary sections 4688-1, 4688-2, 4728-1, 4740-1, 4747-1, 4744-1 to 4744-6 inclusive, 7706-1, 7706-2, 7706-3, 7706-4, 7706-5, 7730-1, and to repeal sections 4713, 4716, 4717 to 4725 inclusive of the General Code relating to the supervision of rural and village schools.....	23	26
14	Mr. Morris. To amend sections 7805, 7806, 7807, 7808, 7810, 7811 to 7823 inclusive, 7825, 7830, 7831, 7832, 7832-1, 7834, 7835, 7836, 7837, 7839, 7844, 7845, 7846, 7847, 7854, 7855, 7857, 7858, to add supplementary sections 7807-1 to 7807-6 inclusive, 7821-1, 7821-2, 7822-1, 7823-1 and 7832-2, and to repeal sections 7740, 7741, 7848, 7858-1 to 7858-7 inclusive of the General Code, relating to the certification and examination of teachers in the public schools.....	23	26

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post-poned.	Reconsidered.	Action in Senate.	Enrolled and Signed.
51	63	51	63	.....	63	.....		99	111
39	49	39	50	.....	50	.....		109	196
29	34	35	35	.....	35	.....		156	222
61	76	127 129	130	76-90 126-202 203-213 218-230	130	.....		186	254
29	35	29 36	36	.....	36	.....		156	222
57	72	57 72 73	76	.....	76	.....		170	225
84	97	84 97	97	.....	97	.....		183	224

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Number.	Author and Title.	Introduction and First Reading.	Referred.
15	Mr. Rhulman. To amend sections 7595 and 7597 of the General Code and add supplementary section 7595-1, relating to the salaries of teachers and aid to weak school districts	24	26
16	Mr. Hoaglin. To amend sections 7868 and 7869 of the General Code and to add supplemental sections 7654-1, 7654-2, 7654-3, 7654-4, 7654-5, 7654-6, 7654-7, and 7868-1 of the General Code relating to the training of teachers for village and rural schools.....	24	26
17	Mr. Black, of Hamilton. To supplement section 724 of the General Code by the enactment of a supplementary section to be known and designated as section 724-1 of the General Code; to supplement section 729 of the General Code by the enactment of a supplementary section to be known and designated as section 729-1 of the General Code; to supplement section 742 of the General Code by the enactment of supplementary sections to be known and designated as sections 742-a and 742-b of the General Code; to supplement section 742-2 of the General Code by the enactment of a section to be known and designated as section 742-2a of the General Code, to supplement section 9702 of the General Code by the enactment of supplementary sections to be known and designated as sections 9702-1 and 9702-2 of the General Code; to supplement section 9704 of the General Code by the enactment of a supplementary section to be known and designated as section 9704-1 of the General Code; to amend section 9757 of the General Code; to supplement section 9757 of the General Code by the enactment of supplementary sections to be known and designated as sections 9757-1 and 9757-2 of the General Code; to supplement section 9758 of the General Code by the enactment of a section to be known and designated as section 9758-1 of the General Code; to supplement section 9759 of the General Code by the enactment of a supplementary section to be known and designated as section 9759-1 of the General Code; to supplement section 9790 of the General Code by the enactment of a supplementary section to be known and designated as section 9790-1 of the General Code; and to conform the statutes of Ohio regulating banks to the provisions of an act of the 63rd Congress of the United States, entitled An act to provide for the establishment of Federal Reserve Banks, to furnish an elastic currency to afford means of rediscounting commercial paper, to establish more effective supervision of banks in the United States, and for other purposes."	24	.....

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post-poned.	Reconsidered.	Action in Senate.	Enrolled and Signed.
81	90	81	90	.....	90	.....	.....	163	222
132	146	132 147	147	.....	147	.....	.....	199	224
.....	.....	.....	.....	24	.....	.....	.....	.....	.....

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Number.	Author and Title.	Introduction and First Reading.	Referred.
18	Mr. Doster. To amend sections 5175-29c, 5175-29d, 5175-29e and 5175-29f of the General Code and to enact supplemental sections 5175-29g to 5175-29r inclusive providing safeguards in connection with initiative, supplementary and referendum petitions	25	26
19	Mr. Vonderheide. To prevent floods, to protect cities, villages, farms and highways from inundation, and to authorize the organization of drainage and conservation districts..	26	26
20	Mr. Detrick. To make appropriation for a building for the College of Education of the Ohio State University.....	29	30
31	Mr. Gilson. To amend section 7645, relative to course of study	30	30
22	Mr. Duffey. To amend section 2252 and 2253 of the General Code (as contained in the Act entitled "An Act to amend certain sections of the General Code, relative to, et al., 103 O. L., page 405, at page 418 and 419) providing for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts, and to enact new sections to be known as sections 2252-1 and 2252-2	41	41
23	Mr. Anderson. To authorize the formation of a state school commission to select or compile, and to regulate the price of state uniform text books for rural and village school districts	41	41
24	Mr. Detrick. To amend sections 7868 and 7869 of the General Code and to add supplemental sections 7654-1, 7654-2, 7654-3, 7654-4, 7654-5, 7654-6, 7654-7, and 7868-1 of the General Code relating to the training of teachers for village and rural schools.....	41	41
25	Mr. Thomas. To amend section 7713 of the General Code to prohibit unnecessary changes in School Text Books.....	41	41
26	Mr. Gilson. To authorize the appointment of a school book commission, to regulate the price of school books, and to repeal sections 7709 and 7710 of the General Code.....	41	41
27	Mr. Tetlow. To supplement section 936 of the General Code and to conserve the mineral resources of the state by requiring plans of proposed mining operations to be first submitted to the industrial commission for its approval.....	41	41

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Postponed.	Reconsidered.	Action in Senate.	Enrolled and Signed.
38	42	39 43	44	177-189	44			174	225
215									
52	77	77	78	64-236	78			199 215	222
				162					
99	130	99	130		131			184	223
214									
				162					
213									

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Number.	Author and Title.	Introduction and First Reading.	Referred.
28	Mr. Lambert. To add section 5080-1 to the General Code providing for inspectors to the count at referendum elections.	62	88
29	Mr. Woodworth. To amend sections 7713 and 7714 of the General Code, relating to the county uniformity of text books.	88	88 162
30	Mr. Black, of Hamilton. To amend section 9757 of the General Code and to supplement section 9759 by the enactment of supplemental section 9759-1 of the General Code to conform the banking laws of Ohio to the federal reserve act...	101	101
31	Mr. Leist. Relative to appropriating money for the assistance of weak school districts.....	101	101
32	Mr. Brown, of Ashland. To amend sections 1079 and 1081 and to repeal section 1090 of the General Code, relating to the appointment of members of the agricultural commission.	112	113
33	Mr. Black, of Hamilton. To amend an act entitled "An act providing for enlarging and extending the jurisdiction of the police court of Cincinnati and changing the name of such court to the municipal court of Cincinnati" (103 O. L. 279), by changing the method of reviewing the final judgments and orders of such court, and by repealing section 45 of such act	112	113
34	Mr. Welsh. To amend sections 6072, 6087 and 6091 of the General Code, relating to the duties of certain inspectors and to the assessment of the liquor traffic tax.....	112	113
35	Mr. Dickson. To authorize the state armory board to accept a gift of land in the city of Marietta, Ohio, as the site of an armory building, and to erect thereon an armory.....	112	113
36	Mr. Hoaglin. To authorize the county commissioners of Paulding county, Ohio, to reimburse the township trustees of Benton township in such county in a sum not to exceed thirteen hundred and seven dollars and thirty-seven cents for money spent in repairing culverts damaged by the flood of 1913	112	113
37	Mr. Welsh. To amend section 1453 of the General Code, relating to the catching of carp.....	112	113

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post-poned.	Reconsidered.	Action in Senate.	Enrolled and Signed.
162									
143	154	143	154		154			184	223
113	118		118		118			156	223
114	119		119		119			205	225
116	124	124	124		124			185	223
114	118		119		119			156	223
122	139		139		139			199	223
122	137		137	138	137			199	224

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Number.	Author and Title.	Introduction and First Reading.	Referred.
38	Mr. Hastings. To amend Section 1 of "An act to authorize county commissioners, township trustees, boards of education, road commissioners, councils of municipal corporations and boards and officers thereof temporarily to repair, reconstruct and replace public property and public ways destroyed or injured by floods occurring in March and April, 1913; to authorize county commissioners and councils of municipal corporations to borrow and expend money for the purpose of cleansing public places and private grounds and buildings and removing therefrom any matter deposited therein by said flood which is inimical to the public health, safety or convenience; and to exempt proceedings for the permanent repair, reconstruction and replacement of such public property and public ways, and bonds issued and levies made for such purposes from certain requirements and limitations" (103 Ohio Laws, 141), relating to expenditures rendered necessary by floods.....	112	113
39	Mr. Cameron. To provide for teaching in the public schools of Ohio the modes by which the dangerous communicable diseases are spread, and the best method for the restriction and prevention of such disease.....	112	113
40	Mr. Orrison. To release the claim of the state against the Columbus Savings & Trust Company.....	112	113
41	Mr. Kilpatrick. To provide for the appointment of one member of the tax commission of Ohio, and to so arrange that appointments to said commission may be hereafter made as provided in section 1495-1 of the General Code, passed June 2, 1911.....	113	113
42	Mr. Bour. To provide for an investigation as to the condition of the finances of municipalities.....	113	113
43	Mr. Reid. To amend sections 8572-1, 8572-6, 8572-16, 8572-18, 8572-22, 8572-28, 8572-43, 8572-44, 8572-51, 8572-67, 8572-77, 8572-80, 8572-94, 8572-99, 8572-112, 8572-113, and 8572-114 relating to the registration of land titles.....	115	115
44	Mr. Deaton. To authorize county commissioners to transfer funds for the purpose of paying orders for blind relief.....	148	150
45	Mr. Horwitz. To authorize the county commissioners of any county to transfer funds for the purpose of providing a fund for the payment of mother's pensions.....	149	150

BILLS OF THE HOUSE OF REPRESENTATIVES — Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or. Indefinitely Post- poned.	Reconsidered.	Action in Senate.	Enrolled and Signed.
122	136	.....	136	.....	136	.....	.....	184	223
134	144	.....	144	.....	144	.....	.....	182	223
143	153	.....	153	.....	153	.....	.....	182	223
143	155	143 190	155	.....	190	155	182	213	224
132	141	.....	141	.....	141	.....	.....	179	224
159	165	165	165	166	165	.....	.....	184	224
159	166	166 167	167	167	167	.....	.....	199	224

BILLS OF THE HOUSE OF REPRESENTATIVES—Concluded.

Number.	Author and Title.	Introduction and First Reading.	Referred.
46	Mr. Fellingner. Relating to the organization and admission of mutual fire insurance companies and repealing certain sections of the General Code.....	177	177
47	Mr. Cowan. To make general appropriations for the fiscal year beginning February 16, 1914, and to repeal House Bill No. 670 approved May 9, 1913, (103 O. L. 627) entitled an act "To make general appropriations.".....	168	.....
48	Mr. Fellingner. Relating to the organization and admission of mutual fire insurance companies and to repeal sections 630, 631, 632, 9525, 9526, 9528, 9538, 9550, 9551, 9552, 9553, 9557, 9558, and 9574 of the General Code.....	179	179
49	Mr. Kramer. To amend section 15 of the General Code, relating to members of the General Assembly.....	225	.....
50	Mr. Etling. To amend sections 5584, 5624-4 of the General Code, (103 O. L. pages 788, 790 and 709), relating to the assessment of property for taxation	228	.....
51	Mr. Reid. To amend section 5649-1 of the General Code and to supplement the same by the enactment of a supplementary section to be known as 5649-1a, relating to levies for sinking fund and interest purposes.....	231	.....
52	Mr. Duffey. To amend sections 2252 and 2253 of the General Code (as contained in the act entitled "An act to amend certain sections of the General Code, relative to, et al., 103 O. L., 405, at page 418 and 419), providing for the compensation of judicial officers, and additional compensation for judges of common pleas and superior courts," and to enact new sections to be known as sections 2252-1 and 2252-2.....	236	.....
53	Mr. Cowan. To make sundry appropriations.....	237	.....
54	Mr. Cowan. To make appropriations to pay deficiencies and liabilities existing prior to February 15, 1914.....	241	.....
55	Mr. King, of Ashtabula. To amend sections 6294, 6301 and 12613 of the General Code, relating to motor vehicles, and subdivide section 6301 into section 6301 and section 6302....	250	.....

BILLS OF THE HOUSE OF REPRESENTATIVES — Concluded.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post-poned.	Reconsidered.	Action in Senate.	Enrolled and Signed.
177	196	197	197	.....	197	.....	.....	212	224
....	192	192	194	216-229 242-249	194	.....	.....	215	255
191	191	191	192	.....	192	.....	.....	212	224
....	225	225 226	227	227	227	.....	.....	252	255
....	228	.....	229	.....	229	.....	.....	241	255
....	231	.....	231	.....	231	.....	.....	241	255
....	237	.....	237	.....	237	.....	.....	246	255
....	237	238 239	240	257-258 260-	240	.....	.....	255	261
....	241	241	241	.....	241	.....	.....	254	255
....	250	.....	250	251	250	.....	.....	254	255

BILLS OF THE SENATE.

Number.	Author and Title.	Received—Read First Time.	Referred.
1	Mr. Mooney. To amend section 24 of the General Code, providing for the disposition of taxes, assessments, licenses, premiums, fees, penalties, fines, costs, sales, rentals and other moneys received for the state.....	53	53
2	Mr. Friebolin. To amend section 1532 of the General Code, providing for the election of common pleas judges in the several counties of the state.....	38	38
3	Mr. Green. To regulate the weighing of coal at the mine....	98	98
5	Mr. Herner. To amend section 31 of the General Code, relating to official seals.....	98	98
6	Mr. Weygandt. To amend sections 5175-29c, 5175-29d, 5175-29e and 5175-29f of the General Code and to enact supplemental sections 5175-29g to 5175-29x inclusive, providing safeguards in connection with the initiative, supplementary and referendum petitions	98	98
7	Mr. Lloyd. To amend sections 7753 and 7754 of the General Code and to add supplementary sections 7753-1, 7753-2 and 7753-3 relating to the inspection of High Schools.....	110	.....
8	Mr. Cahill. To amend sections 7661-1, 7661-2, 7661-3, 7761-4, 7761-5 and 7761-6, and to repeal sections 7761-7 and 7761-8 of the General Code, relating to the teaching of agriculture in the public schools of Ohio.....	99	99
9	Mr. Hudson. To amend sections 7658, 7747, 7748 and 7749 of the General Code, and to supplement section 7655 by the enactment of additional sections 7655-1, 7655-2, 7655-3, 7655-4, 7655-5, 7655-6, 7655-7 and 7655-8 of the General Code, relating to the standardization of schools.....	99	99

BILLS OF THE SENATE.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post- poned.	Reconsidered.	Enrolled and Signed.
83	95	83 95	95	102	95	.....	.....	221
172	173	172	173	.....	175	.....	.....	261
123	140	140	140	.....	140	.....	.....	221
83	94	.....	94	.....	95	.....	.....	221
115	120	115 120	120	.....	120	.....	.....	222
.....	125	.....	125	110	125	.....	.....	220
111	116	111 117	117	126	117	.....	.....	221
110	135	110	135	.....	135	.....	.....	221

BILLS OF THE SENATE—Continued.

Number.	Author and Title.	Received—Read First Time.	Referred.
10	Mr. Cunningham. To amend sections 352, 354, 355, 356, 357, 358, 359, 360, 361, 362, 364, 4701, 7645, 7646, 7656, 7660, 7661, 7668, 7669, 7672, 7673, 7675, 7709, 7710, 7718, 7727, 7752, 7755, 7756, 7761, 7763, 7769, 7771, 7772, 7773, 7784, 7786, 7787, 7788, 7789, 7790, 7792, 7793, 7799, 7803, 7804, 7857, 7863, 7865, 7874 and 9923, to add supplementary section 353-1 and to repeal sections 7588, 7589, 7590, 7717, 7719, 7732, 7741, 4693, 4694, 4695, and 4697 of the General Code, relating to the office and duties of the superintendent of public instruction.....	203	.....
11	Mr. Haas. To amend sections 9934, 9935, 9936, 9937, 9939, 9941 and 9942 and to supplement said section 9937 by enacting a supplemental section to be known as section 9937-a and to repeal sections 9938, 9940, 9944, 9945, 9946 and 9947 of the General Code, relating to the organization and government of universities and colleges, and the election of trustees therein....	53	53
12	Mr. Friebolin. To amend sections 2457-1, 2457-2 and 2457-3 of the General Code, (103 Ohio 830), and to supplement section 7622 by sections 7622-1 to sections 7622-19 inclusive, providing for the use of school buildings and grounds for educational and recreational purposes, and providing a method for proposing measures in certain school districts by initiative petition and for submitting certain measures or proposed measures to a referendum vote	109	110
13	Mr. Weygandt. To amend section 12600-45 of the General Code, relating to the construction of school buildings.....	54	54 97
16	Mr. Zmunt. To authorize the Governor of Ohio to execute a deed for lands within the City of Cleveland.....	55	55
17	Mr. Broadstone. To amend section 1946 of the General Code, relating to the compensation of the officers and employes of the Ohio soldiers' and sailors' orphans' home.....	53	53
19	Mr. Hopple. To amend section 7766 of the General Code, relative to the age limit of females who are entitled to receive schooling certificates	55	55
20	Mr. Gregory. To amend sections 4227-1, 4227-2, and 4227-5 of General Code, to repeal sections 3772, 3773 and 3774 and to add sections 4227-6 to 4227-13 inclusive, relative to further safeguarding initiative and referendum petitions in municipalities..	178	178

BILLS OF THE SENATE—Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post- poned.	Reconsidered.	Enrolled and Signed.
	203	203	204	216-218 228-247 248-253	204			261
61	76		76		77			221
134	142	134	142	166-209 213-233	142		209	
86 123	145	123 145	145		145			221
87	96		96		96			221
53	69		69		69			221
123	146	123	146		146			221
213								

BILLS OF THE SENATE—Continued.

Number.	Author and Title.	Received—Read First Time.	Referred.
21	Mr. Gregory. To amend sections 4227-1, 422712 and 4227-5 of General Code, to repeal sections 3772, 3773 and 3774 and to add sections 4227-6 to 4227-13 inclusive, relative to further safeguarding initiative and referendum petitions in municipalities...	169	.....
22	Mr. Herner. To amend section 1412 of the General Code, as amended in an act entitled "An act to protect certain game." (O. L. Vol. 103, page 167)	158	159
23	Mr. Haas. To authorize township trustees to construct, rebuild and repair foot bridges.....	157	.....
24	Mr. Gregory. To amend section 1639 of the General Code, so as to provide for the election of one of the common pleas judges of the First Judicial District as a judge of the court of common pleas, division of domestic relations, and to provide for assigning to him all juvenile court work and all divorce and alimony cases	187	.....
25	Mr. Jung. To amend section 1655 of the General Code, so as to bring under the jurisdiction of the Juvenile Court, those who neglect, abuse, etc., illegitimate or step-children, and men who refuse to support women made pregnant by them.....	181	.....
26	Mr. Cook. To amend section 1637 of the General Code, to take away the jurisdiction of the Insolvency Court in divorce and alimony cases	188	.....
27	Mr. Holden. To authorize an investigation of the judicial system of Ohio and a report as to the best method of securing more speedy and less expensive administration of justice.....	181	181
28	Mr. Green. To amend section 29 of an act entitled, "An act to further define the powers, duties and jurisdiction of the state liability board of awards with reference to the collection, maintenance and disbursement of the state insurance fund for the benefit of injured, and the dependents of killed employees and requiring contribution thereto by employers, and to repeal sections 1465-42, 1465-43, 1465-45, 1465-46, 1465-53, 1465-54, 1465-55, 1465-56, 1465-57, 1465-58, 1465-59, 1465-60, 1465-61, 1465-62, 1465-63, 1465-64, 1465-65, 1465-66, 1465-67, 1465-68, 1465-69, 1465-70, 1465-71, 1465-72, 1465-73, 1465-74, 1465-75, 1465-76, 1465-77, 1465-78, 1465-79 of the General Code," (O. L. Vol. 103, p. 72)	201	.....

BILLS OF THE SENATE—Continued.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post-poned.	Reconsidered.	Enrolled and Signed.
.....	169	.....	169	234-245 249	169	.....	.....	261
163	168	168	168	.....	168	.....	.....	220
.....	158	.....	158	.....	158	.....	.....	221
.....	187	.....	188	.....	188	.....	.....	221
.....	181	.....	.....	.....	.....	181	.....	.....
.....	188	.....	188	.....	188	.....	.....	220
210	210	.....	210	.....	210	.....	.....	220
.....	201	201	201	202-213	201	.....	.....	221

BILLS OF THE SENATE—Concluded.

Number.	Author and Title.	Received—Read First Time.	Referred.
29	Mr. Cahill. To amend section 5649-3b of the General Code, as amended April 6, 1913, providing for the time of meeting of county budget commission.....	230	
30	Mr. Dollison. To supplement section 3209, General Code, by enacting section 3209-1, to authorize the leasing of gas, oil and other minerals on unsold portions of sections sixteen and twenty-nine	229	229

BILLS OF THE SENATE—Concluded.

Reported.	Second Reading.	Amended.	Third Reading.	Other Proceedings.	Passed.	Lost, or Indefinitely Post- poned.	Reconsidered.	Enrolled and Signed.
.....	230	.....	230	.....	230	.....	.....	261
232	232	.....	233	.....	233	.....	.....	261

HOUSE JOINT RESOLUTIONS.

Number.	Author and Title.	Offered.	On Table.	Adopted.	Lost, or Indefinitely Postponed.	Action in Senate.	Enrolled and Signed.	Other Proceedings.
1	Mr. Lowry. Relative to printing extra copies of certain bills.....	30	.....	30	.....	38	111	.....
2	Mr. Smith, of Butler. Relative to the delivery of bills and other legislative documents direct to the legislative reference bureau..	41	.....	50	.....	70	224	109-135 161-169
3	Mr. Terrell. Relative to printing 1,000 copies of reports of Legislative Canal Commission	42	.....	51	.....	.....	196	.....
4	Mr. Terrell. To provide for the printing of the report of the Ohio Coal Mining Commission to the Governor of Ohio.....	42	.....	78	.....	109	196	51
5	Mr. Nye. Relative to requesting the Governor to send an entirely new message to the Legislature...	61	71	.....	.....	.....	.....	62
6	Mr. Carroll. Relating to "The Hamil Bill" now pending in Congress	62	.....	79	.....	109	196	.....
7	Mr. Dickson. Relative to printing extra copies of House Bill No. 19	62	.....	.....	131	.....	.....	.....
8	Mr. Terrell. Relative to printing copies of the report of the Ohio state school survey commission to the Governor of Ohio.....	89	.....	97	.....	126	196	.....
9	Mr. Smith, of Morgan. To authorize the printing and publishing in pamphlet form of the acts passed at this session of the General Assembly with regard to the school system of Ohio.....	113	.....	131	.....	159	224	.....

HOUSE JOINT RESOLUTIONS—Concluded.

Number.	Author and Title.	Offered.	On Table.	Adopted.	Lost, or Indefinitely Postponed.	Action in Senate.	Enrolled and Signed.	Other-Proceedings.
10	Mr. Lowry. To authorize the printing of additional copies of Am. H. B. No. 13.....	.....	.....	.....	.....	.....	.....	.....
11	Mr. Cowan. Relative to printing legislative history of Ohio.....	211	.....	.....	211	.....	.....	235
12	Mr. Lowry. Relative to recess..	212	.....	212	.....	215	224	.....
13	Mr. King, of Ashtabula. Relative to enrolling H. B. No. 55 in type-writing	252	.....	253	.....	257	261	.....
14	Mr. Lowry. Relative to adjournment	258	.....	258	.....	260	261	.....

SENATE JOINT RESOLUTIONS.

Number.	Author and Title.	Received.	On Table.	Referred.	Adopted.	Lost, or Indefinitely Postponed.	Enrolled and Signed.	Other Proceedings.
1	Mr. Green. Appointing a committee of three on part of Senate and three on part of House to wait upon the Governor	16	.....	.....	16	.....	261	.....
2	Mr. Weygandt. Relative to recess of the General Assembly to listen to an address by Senator Pomerene...	20	.....	.....	20	.....	261	.....
3	Mr. Cunningham. Relative to proper federal and state action to abate the loss sustained by hog cholera.....	55	.....	.....	79	.....	222	.....
4	Mr. Weygandt. Providing for extra copies of S. B. No. 18.....	55	79	.....	.....	.....	.....	.....
5	Mr. Beckett. Relative to the printing of additional copies of "Ohio Legislative History 1909-1913".....	71	.....	.....	71	.....	222	.....
6	Mr. Weygandt. Appointing a committee to arrange for a legislative reunion	102	.....	.....	114	.....	261	126
7	Mr. Lloyd. Relative to printing additional copies of H. B. No. 13.....	109	.....	.....	.....	131	.....	.....
8	Mr. Mooney. Proposing an amendment of sections 3, 7, 12 and 15 of Article IV of the Constitution, so as to restore the common pleas judicial districts and subdivisions in existence on the first day of September, 1912, and to abolish provision for combining common pleas and probate courts.....	204	.....	.....	.....	205	.....	205
9	Mr. Dollison. Creating a commission to investigate the subject of free text-books	179	.....	179	.....	.....	.....	.....

HOUSE RESOLUTIONS.

Number.	Author and Title.	Offered.	Referred.	Amended.	Adopted.	Lost.	Other Proceedings.
1	Mr. Lowry. To inform Senate of organization of House.....	13	.....	.....	13	.....	.....
2	Mr. Kennedy. Relative to requisition for stationery	13	.....	.....	14	.....	.....
3	Mr. Acker. Relative to rental of typewriters, etc.	14	.....	.....	14	.....	.....
4	Mr. Warnes. Relative to appointment of stenographer	14	.....	.....	15	.....	.....
5	Mr. White. Respect to memory of Hon. Peter J. Collins.....	15	.....	.....	15	.....	.....
6	Mr. Diser. Relative to investigation of charges against certain members of the House	21	.....	.....	27	46	46
7	Mr. Ertel. To pay bills.....	31	31	87	87	.....	87
8	Mr. Guthery. Relative to payment of two salaries to members.....	47	.....	48	48	.....	.....
9	Mr. Smith, of Butler. Relative to chaplain	61	.....	.....	61	.....	195
10	Mr. King, of Franklin. Relative to message from Governor regarding						
11	Mr. Ertel. Relative to adjusting mileage of members	89	.....	.....	89	.....	.....
12	Mr. Bishop. In respect to memory of Hon. William Buchtel.....	163	.....	.....	164	.....	.....
13	Mr. Venus. Relative to budget for office expenses	195	.....	.....	195	.....	.....
14	Mr. Shanley. Thanking custodian of House	214	.....	.....	214	.....	.....

HOUSE RESOLUTIONS—Concluded.

Number.	Author and Title.	Offered.	Referred.	Amended.	Adopted.	Lost.	Other Proceedings.
15	Mr. Williams. Relative to testimony before committee under H. R. No. 9	217	.....	.....	217	.....	.....
16	Mr. Lowry. Extending sympathy to M. J. Jenkins.....	217	.....	.....	217	.....	.....
17	Mr. Ertel. To pay bills.....	233	.....	.....	234	.....	.....
18	Mr. King, of Ashtabula. To pay chaplains	246	.....	.....	246	.....	.....
19	Mr. Doster. To ship contents of desks	257	.....	.....	257	.....	.....
20	Mr. Bishop. To retain employes....	261	.....	.....	262	.....	.....

PERSONAL INDEX OF REPRESENTATIVES.

MR. ACKER, of Hocking County —	
Amendments offered by.....	136, 225
Call of House demanded by.....	126
Mileage allowed to.....	150
Motions made by.....	14, 116, 235
Previous question demanded by.....	130
Question of order.....	227
Resolutions offered by — House.....	14
MR. AGLER, of Stark County —	
Mileage allowed to.....	150
MR. ANDERSON, of Greene County —	
Amendments offered by.....	63, 73
Bills introduced by.....	41
Mileage allowed to.....	150
Motions made by.....	41, 162
Petitions, memorials, or remonstrances presented by.....	89
MR. APPENZELLER, of Darke County —	
Mileage allowed to.....	150
Petitions, memorials, or remonstrances presented by.....	54
Reports submitted by — from standing committee.....	122, 159
MR. BARTHELMEH, of Tuscarawas County —	
Amendments offered by.....	72
Mileage allowed to.....	150
Reports submitted by — from standing committee.....	81
MR. BEATTY, of Hamilton County —	
Mileage allowed to.....	150
MR. BEHNE, of Williams County —	
Bills introduced by.....	23
Mileage allowed to.....	150
Motions made by.....	32
Reports submitted by — from standing committee.....	28
MR. BEYER, of Hancock County —	
Mileage allowed to.....	150
MR. BIGELOW, of Hamilton County —	
Amendments offered by.....	43, 72
Leave of absence granted to.....	16
Mileage allowed to.....	150
Reports submitted by — from standing committee.....	61
MR. BISHOP, of Summit County —	
Mileage allowed to.....	150
Motions made by.....	202, 262
Resolutions offered by — House.....	163, 261

MR. BLACK, of Hamilton County —	
Amendments offered by.....	91, 92, 193
Bills introduced by.....	24, 101, 112
Courtesy extended to.....	28, 46
Mileage allowed to.....	150
Motions made by.....	24, 101, 119, 181, 182, 236
Question of order.....	22, 67, 68, 136
Report submitted by — from standing committee.....	40, 114, 143
MR. BLACK, of Wyandot County —	
Appointed on joint committee.....	20
Mileage allowed to.....	150
Motions made by.....	205
MR. BOGGS, of Belmont County —	
Amendments offered by.....	35, 140
Mileage allowed to.....	150
Motions made by.....	135
Reports submitted by — from standing committee.....	134
MR. BONNELL, of Guernsey County —	
Mileage allowed to.....	150
MR. BOUR, of Seneca County —	
Bills introduced by.....	113
Mileage allowed to.....	150
Motions made by.....	145, 155
Reports submitted by — from standing committee.....	86, 87
MR. BRENNAN, of Cuyahoga County —	
Mileage allowed to.....	150
Motions made by.....	69, 96
Reports submitted by — from standing committee.....	53
MR. BROWN, of Ashland County —	
Appointed on joint committee.....	20
Bills introduced by.....	112
Mileage allowed to.....	150
Motions made by.....	118
Reports submitted by — from standing committee.....	113
MR. BROWN, of Union County —	
Mileage allowed to.....	150
Reports submitted by — from standing committee.....	162
MR. CAMERON, of Defiance County —	
Bills introduced by.....	112
Mileage allowed to.....	150
MR. CAPELLE, of Hamilton County —	
Amendments offered by.....	198
Mileage allowed to.....	150
MR. CARROLL, of Franklin County —	
Reports submitted by — from joint committee....	111, 196, 220, 222, 254, 260
Resolutions offered by — joint.....	62
MR. CHAPMAN, of Montgomery County —	
Bills introduced by.....	23
Call of House demanded by.....	140, 189
Mileage allowed to.....	150
Motions made by.....	36, 241
Previous question demanded by.....	117
Reports submitted by — from standing committee.....	123

MR. CLARK, of Hamilton County—

Amendments offered by.....	49, 120, 140, 197, 209,	227
Appointed on conference committee.....		217
special committee		126
Bills introduced by.....		23, 177
Mileage allowed to.....		150
Motions made by.....	37, 38, 49, 116, 177, 178, 189, 197, 209, 233, 234,	245
Previous question demanded by.....		201
Question of order.....		67

MR. COLTER, of Lucas County—

Amendments offered by.....		239
Appointed on special committee.....		54
Leave of absence granted to.....		152
Mileage allowed to.....		150

MR. CONOVER, of Champaign County—

Amendments offered by.....		64
Mileage allowed to.....		150
Motions made by.....		65
Petitions, memorials, or remonstrances presented by.....		89
Previous question demanded by.....		27

MR. COOPER, of Mahoning County—

Amendments offered by.....		117
Mileage allowed to.....		150

MR. COWAN, of Putnam County—

Amendments offered by.....	33, 72, 192, 233, 239,	241
Appointed on conference committee.....	70, 141,	217
Bills introduced by.....	168, 237,	241
Mileage allowed to.....		150
Motions made by.....	168, 192, 194, 211, 237, 240, 241,	257
Reports submitted by— from joint committee.....	242,	258
Resolutions offered by— joint.....		211

MR. CRAWFORD, of Monroe County—

Amendments offered by.....		194
Mileage allowed to.....		151

MR. CRISWELL, of Coshocton County—

Appointed on conference committee.....		70
special committee		89
Mileage allowed to.....		151

MR. CRISWELL, of Morrow County—

Appointed on conference committee.....		141
Mileage allowed to.....		151
Motions made by.....	166,	209

MR. DAVIS, of Geauga County—

Appointed on special committee.....		89
Mileage allowed to.....		151

MR. DEATON, of Miami County—

Amendments offered by.....		165
Appointed on conference committee.....		217
Bills introduced by.....		149
Mileage allowed to.....		151
Motions made by.....	149,	165

MR. DETRICK, of Logan County —	
Amendments offered by.....	239
Bills introduced by.....	41
Mileage allowed to.....	151
Motions made by.....	41, 130
Reports submitted by — from standing committee.....	29, 132
MR. DICKSON, of Washington County —	
Bills introduced by.....	112
Mileage allowed to.....	151
Motions made by.....	119, 131
Petitions, memorials, or remonstrances presented by.....	42
Resolutions offered by — joint.....	62
MR. DISER, of Mahoning County —	
Amendments offered by.....	43
Mileage allowed to.....	151
Question of order.....	92
Resolutions offered by — House.....	21, 22
MR. DONALDSON, of Sandusky County —	
Mileage allowed to.....	151
MR. DOSTER, of Cuyahoga County —	
Amendments offered by.....	235
Bills introduced by.....	25
Mileage allowed to.....	151
Resolutions offered by — House.....	257
MR. DUFFEY, of Lucas County —	
Amendments offered by.....	77
Appointed on select committee.....	16
Bills introduced by.....	41, 236
Leave of absence granted to.....	135
Mileage allowed to.....	151
Motions made by.....	41, 64, 78, 227
Reports submitted by — from standing committee.....	52
MR. ERTEL, of Clermont County —	
Appointed on special committee.....	89
Mileage allowed to.....	151
Motions made by.....	31, 87, 89, 234
Reports submitted by — select committee.....	150
standing committee.....	87
Resolutions offered by — House.....	31, 89, 233
MR. ETLING, of Wayne County —	
Amendments offered by.....	127
Appointed on standing committee.....	16
Bills introduced by.....	23, 228
Leave of absence granted to.....	152
Mileage allowed to.....	151
Motions made by.....	34, 228, 230
Question of order.....	230
MR. FELL, of Muskingum County —	
Mileage allowed to.....	151
MR. FELLINGER, of Cuyahoga County —	
Amendments offered by.....	33, 191, 240
Bills introduced by.....	23, 179
Call of House demanded by.....	176
Mileage allowed to.....	151
Motions made by.....	63, 179, 191, 192
Nomination made by.....	30
Reports submitted by — from standing committee.....	51, 177, 191

Digitized by Google

MR. HUNTER, of Knox County —	
Mileage allowed to.....	152
MR. JACKSON, of Clark County —	
Amendments offered by.....	91
Mileage allowed to.....	152
MR. JENKINS, of Madison County —	
Mileage allowed to.....	152
Resolutions offered by— House.....	135
MR. KATHE, of Ross County —	
Mileage allowed to.....	152
MR. KEMERER, of Carroll County —	
Mileage allowed to.....	152
MR. KENNEDY, of Allen County —	
Amendments offered by.....48, 120, 193,	239
Mileage allowed to.....	150
Motions made by.....91,	93
Reports submitted by— from standing committee.....	81
Resolution offered by— House.....	13
MR. KESSLER, of Adams County —	
Mileage allowed to.....	150
MR. KILPATRICK, of Trumbull County —	
Amendments offered by.....120, 122, 190, 194,	245
Bills introduced by.....	113
Call of House demanded by.....	153
Mileage allowed to.....	150
Motions made by.....94, 95, 120, 153, 169, 173, 181, 189, 190,	245
Reports submitted by— from standing committee.....39, 83, 115, 143,	172
MR. KILRAIN, of Cuyahoga County —	
Mileage allowed to.....	150
MR. KING, of Ashtabula County —	
Amendments offered by.....64,	124
Bills introduced by.....	250
Mileage allowed to.....	150
Motions made by.....66, 246, 250,	252
Reports submitted by— from standing committee.....	40
Resolutions offered by— joint.....	252
House	246
MR. KING, of Franklin County —	
Amendments offered by.....	67
Resolutions offered by— House.....	88
MR. KRAMER, of Richland County —	
Amendments offered by.....77,	129
Appointed on conference committee.....	203
special committee	54
Bills introduced by.....	225
Leave of absence granted to.....52	152
Mileage allowed to.....	151
Motions made by.....195,	225
Reports submitted by— from select committee.....	195

MR. LAMBERT, of Jackson County —	
Bills introduced by.....	62
Mileage allowed to.....	151
Reports submitted by — from standing committee.....	29, 122, 213
MR. LEIST, of Pike County —	
Bills introduced by.....	101
Mileage allowed to.....	151
Motions made by.....	154
MR. LOWRY, of Henry County —	
Appointed on select committee.....	16
Bills introduced by.....	23
Mileage allowed to.....	151
Motions made by.....	13, 14, 19, 20, 25, 26, 30, 32, 42, 46, 52, 53,
54, 69, 73, 76, 89, 90, 97, 101, 102, 108, 109, 110, 113, 136, 149, 152,	
153, 157, 161, 162, 165, 168, 178, 179, 196, 198, 203, 204, 212, 217, 218,	
220, 228, 230, 249, 250, 253, 258,	262
Previous question demanded by.....	60
Question of order.....	24
Reports submitted by — from standing committee.....	163
Resolutions offered by — joint.....	30, 150, 212, 258
House	13, 217
MR. LUSTIG, of Cuyahoga County —	
Amendments offered by.....	227
Mileage allowed to.....	151
Motions made by.....	27, 144, 182
Previous question demanded by.....	235
Question of order.....	92
MR. McCORMICK, of Gallia County —	
Mileage allowed to.....	151
Prayer offered by.....	42
MR. McGUFFEY, of Hardin County —	
Amendments offered by.....	73, 117, 203
Mileage allowed to.....	151
MR. MILLS, of Cuyahoga County —	
Appointed on conference committee.....	203
Bills introduced by.....	23
Mileage allowed to.....	151
Motions made by.....	130, 202
Reports submitted by — from joint committee.....	218
MR. MORRIS, of Fairfield County —	
Amendments offered by.....	97
Bills introduced by.....	23
Mileage allowed to.....	151
Motions made by.....	53, 97
Reports submitted by — from standing committee.....	28, 143
MR. MUELLER, of Montgomery County —	
Mileage allowed to.....	151
Reports submitted by — from standing committee.....	122
MR. MURPHY, of Preble County —	
Mileage allowed to.....	151
MR. NUNGESSER, of Crawford County —	
Amendments offered by.....	72, 116, 145
Leave to record vote granted to.....	101
Mileage allowed to.....	151

MR. NYE, of Lucas County —	
Amendments offered by.....	72
Mileage allowed to.....	151
Motions made by.....	61
Resolutions offered by—joint.....	61
Protest filed by.....	80
MR. ORLIKOWSKI, of Cuyahoga County —	151
MR. ORRISON, of Franklin County —	
Bills introduced by.....	112
Motions made by.....	144, 217
MR. PENCE, of Highland County —	
Mileage allowed to.....	151
MR. PLANK, of Medina County —	
Amendments offered by.....	72
Mileage allowed to.....	151
MR. PLUMB, of Delaware County —	
Mileage allowed to.....	151
Motions made by.....	76, 158
MR. QUINLISK, of Shelby County —	
Amendments offered by.....	42
Mileage allowed to.....	151
MR. READ, of Summit County —	
Leave of absence granted to.....	16
Resigned	62, 90
MR. REID, of Fayette County —	
Amendments offered by.....	128
Appointed on conference committee.....	185
select committee	16, 229
special committee	126
Bills introduced by.....	115, 231
Mileage allowed to.....	151
Motions made by.....	115, 141, 231, 232
Question of order.....	63
Reports submitted by— from joint committee.....	197
select committee	232
standing committee	132
MR. REIGHARD, of Fulton County —	
Amendments offered by.....	117
Mileage allowed to.....	151
Previous question demanded by.....	181
Reports submitted by— from standing committee.....	122
MR. REPPERT, of Hamilton County —	
Amendments offered by.....	63
Leave of absence granted to.....	16, 135
Leave to record vote granted to.....	151
MR. REYNOLDS, of Franklin County —	
MR. RHULMAN, of Vinton County —	
Bills introduced by.....	24
Mileage allowed to.....	151
Motions made by.....	90, 101

MR. ROBINSON, of Lawrence County —	
Mileage allowed to.....	151
MR. SCHAEFER, of Cuyahoga County —	
Amendments offered by.....	166
Mileage allowed to.....	151
MR. SCHWEIKERT, of Hamilton County —	
Amendments offered by.....	33
Mileage allowed to.....	151
MR. SCOTT, of Harrison County —	
Mileage allowed to.....	152
MR. SHANLEY, of Portage County —	
Bills introduced by.....	23
Mileage allowed to.....	152
Motions made by.....	35, 214
Reports submitted by— from standing committee.....	114
Resolutions offered by— House.....	214
MR. SIEBERT, of Franklin County —	
MR. SMITH, of Butler County —	
Amendments offered by.....	43, 201, 202
Mileage allowed to.....	152
Motions made by.....	61, 71, 201
Petitions, memorials, or remonstrances presented by.....	124
Reports submitted by— from joint committee.....	161
Resolutions offered by— House.....	41, 61
MR. SMITH, of Morgan County —	
Amendments offered by.....	90
Mileage allowed to.....	152
Resolutions offered by— joint.....	113
MR. SNYDER, of Hamilton County —	
Amendments offered by.....	63, 126, 128
Appointed on conference committee.....	203
Bills introduced by.....	22
Mileage allowed to.....	152
Motions made by.....	50, 68, 187, 188, 210
Reports submitted by— from standing committee.....	210
MR. SNYDER, of Pickaway County —	
Amendments offered by.....	49, 77, 226, 239
Bills introduced by.....	23
Leave of absence granted to.....	52, 152
Mileage allowed to.....	152
Motions made by.....	50, 92, 140
Question of order.....	65
Reports submitted by— from standing committee.....	39
MR. STIVERS, of Brown County —	
Leave of absence granted to.....	135
Mileage allowed to.....	152
MR. SWAIN, of Hamilton County —	
Mileage allowed to.....	152
MR. SWEENEY, of Cuyahoga County —	
Mileage allowed to.....	152

MR. TERRELL, of Cuyahoga County—		
Amendments offered by.....	91, 95,	235
Appointed on conference committee.....		185
select committee		229
Mileage allowed to.....		152
Motions made by.....	51, 185,	202
Resolutions offered by— joint.....	42,	89
MR. TETLOW, of Columbiana County—		
Amendments offered by.....		35
Bills introduced by.....		41
Mileage allowed to.....		152
Motions made by.....	41,	140
MR. THATCHER, of Clinton County—		
Mileage allowed to.....		152
Motions made by.....		125
Reports submitted by— from standing committee.....		159
MR. THOMAS, of Wood County—		
Bills introduced by.....		41
Leave of absence granted to.....		89
Mileage allowed to.....		152
Motions made by.....		41
MR. VENUS, of Huron County—		
Mileage allowed to.....		152
Motions made by.....		195
Resolutions offered by— House.....		195
MR. VOLLMER, of Cuyahoga County—		
Mileage allowed to.....		152
MR. VONDERHEIDE, of Montgomery County—		
Amendments offered by.....	44, 67, 91, 95, 239, 240,	241
Appointed on select committee.....		229
Bills introduced by.....		26
Mileage allowed to.....		152
Motions made by.....	20, 26, 44,	177
Question of order.....	89,	135
Reports submitted by— from standing committee.....		38
MR. WALSH, of Cuyahoga County—		
Leave to record vote granted to.....		101
Mileage allowed to.....		152
MR. WARNES, of Holmes County—		
Bills introduced by.....		22
Call of House demanded by.....	65,	75
Mileage allowed.....		152
Motions made by.....	14, 22, 27, 32, 50, 53, 54, 70, 76, 79, 117, 166, 182,	202
Previous question demanded by.....		144
Question of order.....		146
Resolutions offered by— House.....		14
MR. WELSH, of Ottawa County—		
Amendments offered by.....	124, 138,	168
Appointed on conference committee.....	70,	141
Bills introduced by.....	22,	112
Mileage allowed.....		152
Motions made by.....	33, 124, 137,	141
Reports submitted by— from joint committee.....	93,	148
standing committee		116

MR. WHITE, of Columbiana County—

Amendments offered by.....	250
Appointed on joint committee.....	20
Mileage allowed	152
Motions made by.....	15
Resolutions offered by—House.....	15
Prayer offered by.....	26

MR. WILLIAMS, of Lorain County—

Amendments offered by.....	227
Appointed on special committee.....	54
Leave to record vote granted to.....	152
Mileage allowed	152
Motions made by.....	217
Resolutions offered by—House.....	217

MR. WINANS, of Lake County—

Amendments offered by.....	147
Appointed on select committee.....	16
Mileage allowed	152
Motions made by.....	131

MR. WINTERMUTE, of Mercer County—

Amendments offered by.....	249
Mileage allowed	152
Petitions, memorials, or remonstrances presented by.....	101

MR. WINTERS, of Erie County—

Amendments offered by.....	238
Appointed on special committee.....	126
Mileage allowed	152
Motions made by.....	205

MR. WOODWORTH, of Athens County—

Amendments offered by.....	48, 73, 125, 227
Mileage allowed	152
Motions made by.....	88

MR. YOUNG, of Cuyahoga County—

Amendments offered by.....	166, 239
Mileage allowed	152
Motions made by.....	142, 233
Previous question demanded by.....	92
Question of order.....	138, 166

LIST OF SECTIONS OF THE GENERAL CODE AFFECTED BY
HOUSE BILLS INTRODUCED AT THE EXTRAOR-
DINARY SESSION OF THE EIGHTIETH
GENERAL ASSEMBLY.

The following is a list of the sections of the General Code that were affected by bills introduced in the House, together with the numbers of the bills:

SECTION NO.	HOUSE BILL	SECTION NO.	HOUSE BILL
15	49	4718	13
45	33	4719	13
131	7	4720	13
131-1	7	4721	13
246	6	4722	13
630	48	4723	13
631	48	4724	13
632	48	4725	13
670	47	4726	13
724	17	4727	13
729	17	4728	13
742-2	17	4728-1	13
934	12	4729	13
936	27	4730	13
976	10	4731	13
976-1	10	4732	13
976-2	10	4733	13
976-3	10	4734	13
1079	32	4735	13
1081	32	4736	13
1090	32	4737	13
1453	37	4738	13
1465-1	41	4739	13
2251-1	22	4740	13
2251-2	22	4740-1	13
2252	22, 52	4741	13
2253	22, 52	4742	13
3609	1	4743	13
3927	11	4744	13
3930	11	4744-1	13
3949	11	4744-2	13
4679	13	4744-3	13
4682-1	13	4744-4	13
4673	13	4744-5	13
4684	13	4744-6	13
4685	13	4747	13
4687	13	4747-1	13
4688	13	4763	16
4688-1	13	4828	3
4688-2	13	4949	3
4689	13	4952	3
4692	13	4963	3
4696	13	4968	3
4712	13	5004	3
4713	13	5006	3
4714	13	5018	3
4715	13	5018-1	3
4716	13	5080-1	28
4717	13	5094	3

SECTION NO.	HOUSE BILL	SECTION NO.	HOUSE BILL
5097	8	7758-3	14
5098	8	7758-4	14
5175-29C	18	7758-5	14
5175-29D	18	7758-6	14
5175-29E	18	7758-7	14
5175-29F	18	7805	14
5175-29G	18	7806	14
5175-29H	18	7807	14
5175-29I	18	7807-1	14
5175-29J	18	7807-2	14
5175-29K	18	7807-3	14
5175-29L	18	7807-4	14
5175-29M	18	7807-5	14
5175-29N	18	7807-6	14
5175-29O	18	7808	14
5175-29P	18	7810	14
5175-29Q	18	7811	14
5175-29R	18	7812	14
5584	50	7813	14
5590	50	7814	14
5624-4	50	7815	14
5649-1	51	7816	14
5653	13	7817	14
6072	34	7818	14
6087	34	7819	14
6091	34	7820	14
6294	55	7821	14
6301	1, 55	7822	14
6302	1	7823	14
6309	1	7821-1	14
7595	15	7821-2	14
7595-1	15	7822-1	14
7597	15	7823-1	14
7600	16	7825	14
7602	16	7830	14
7604	16	7831	14
7605	16	7832	14
7645	21	7832-1	14
7654-1	24	7832-2	14
7654-2	24	7834	14
7654-3	24	7835	14
7654-4	24	7836	14
7654-5	24	7837	14
7654-6	24	7839	14
7654-7	24	7844	14
7705	13	7845	14
7706	13	7846	14
7706-1	13	7847	14
7706-2	13	7854	14
7706-3	13	7855	14
7706-4	13	7857	14
7706-5	13	7858	14
7709	26	7868	24
7710	26	7868-1	24
7713	25	7869	24
7713	29	8572-1	43
7714	29	8572-6	43
7730	13	8572-16	43
7730-1	13	8572-18	43
7731	13	8572-22	43
7740	14	8572-28	43
7741	14	8572-43	43
7748	14	8572-44	43
7758-1	14	8572-51	43
7758-2	14	8572-67	43

SECTION NO.	HOUSE BILL	SECTION NO.	HOUSE BILL
8572-77	43	9757	17
8572-80	43	9757	30
8572-94	43	9758	17
8572-99	43	9759	17
8572-112	43	9759	30
8572-113	43	9759-1	30
8572-114	43	9790	17
9525	48	9955	4
9526	48	9955-1	4
9528	48	9955-2	4
9538	48	12613	55
9550	48	12842	9
9551	48		
9552	48	103 O. L. 763.....	1, 55
9553	48	103 O. L. 405, 418 and 419..	22, 52
9557	48	103 O. L. 279.....	33
9558	48	103 O. L. 141.....	38
9574	48	103 O. L. 627.....	47
9702	17	103 O. L. 788.....	50
9704	17		

GENERAL INDEX.

A.		H. B. No.
"Academy"—	May be used interchangeably with "college" and "university".....	4
Agricultural Commission—	Appointment of members of.....	32
Appropriations—	Panama-Pacific International Exposition.....	8
	Aid to weak school districts.....	31
	Deficiency	54
	General for 1914.....	47
	Sundry	53
Auditor of state—	May issue duplicate warrants when.....	6
Automobiles—	Disposition of license fees.....	1
	Licenses of	55
B.		
Banks—	To grant additional powers to.....5, 17,	30
	State, may take advantage of federal reserve act.....5, 17,	30
Blind relief—	County commissioners shall provide for.....	44
Blue Sky act—	Amendment to	46
Bonds—	Sale of, in small denominations.....	11
	When may be issued for public utilities.....	11
	Levy to pay.....	51
C.		
Cincinnati—	To regulate the practice in the municipal court of.....	33
Coal mines—	To regulate solid shooting in.....	10
	Emergency supplies to be kept at.....	12
	To conserve deposits in.....	27
	Plans of operation of, must first be submitted to the Industrial Com- mission	27
"College"—	May be used interchangeably with "academy" and "university".....	4
Columbus Savings and Trust Co.—	To release claim of state against.....	40
Conservancy Act—	To prevent floods.....	19
County Commissioners—	Shall provide funds to pay blind pensions.....	44
	May provide funds for mothers' pensions.....	45
D.		
Diseases—	To provide for instruction in the cause and prevention of contagious and infectious	39

E.	
Elections —	H. B. No.
Nomination of United States senator.....	3
Inspectors at referendum.....	28
F.	
Fish —	
To regulate the catching of carp.....	37
Floods —	
To prevent	19
Bond issues on account of.....	38
G.	
General Assembly —	
Members of, may not accept appointment, employment or office.....	49
I.	
Initiative and Referendum petitions —	
To safeguard	18
Insurance companies —	
Organization and admission of mutual fire.....	48
Intoxicating liquors —	
When tax on becomes a lien.....	34
J.	
Judges —	
To regulate salaries.....	22, 52
L.	
Licenses —	
Proceeds of automobile, how disposed of.....	1
Automobile and motor vehicles.....	55
Liquor License inspectors —	
To further prescribe the duties of.....	34
M.	
Marietta —	
Gift of land by, for armory purposes.....	35
Mines —	
To regulate solid shooting in coal.....	10
Emergency supplies to be kept at.....	19
To conserve deposits in coal.....	27
Mothers' pensions —	
County commissioners may transfer fund for.....	45
Motor vehicles —	
Disposition of license fees.....	1
To regulate license of.....	55
Municipal bonds —	
Sale of, in small denominations.....	11
When, may be issued for public utilities.....	11
Levy to pay principal and interest.....	51
Municipalities —	
Investigations as to financial condition of.....	42
N.	
Notary public —	
To further regulate duties of.....	7

O.	
Ohio State University—	H. B. No.
Appropriation for building college of education.....	20
P.	
Panama-Pacific International Exposition—	
Appropriation for	8
Paulding County—	
Commissioners may reimburse trustees of Benton Township.....	36
Perjury—	
To further define.....	9
Public Utilities—	
Municipalities may issue bonds for.....	11
R.	
Reports—	
Of state officers, publication and distribution.....	2
S.	
Schools—	
Supervision of	13
Certification and examination of teachers in.....	14
Salaries of teachers in.....	15
Aid to weak districts.....	15, 31
Funds of	16
To regulate course of study in.....	21
State shall publish text books.....	23, 26, 29
Training of teachers.....	24
Prohibiting unnecessary changes in text books.....	25
Instruction relating to contagious and infectious diseases.....	39
Sinking fund—	
Levies for	51
State officers—	
Publication and distribution of reports of.....	2
T.	
Taxation—	
Assessment of property for.....	50
Tax commission—	
Appointment of members of.....	41
Teachers—	
Certification and examination of.....	14
Salaries of	15
Training of	24
Text books—	
State may publish.....	23, 26, 29
To prohibit unnecessary changes in.....	25
Title to land—	
Registration of	43
Torrens Land System—	
To further regulate.....	43
U.	
"University"—	
May be used interchangeably with "academy" and "college".....	4
United States Senator—	
Method of nomination.....	3
W.	
Warrant—	
Auditor of state may issue duplicate, when.....	6

MISCELLANEOUS INDEX,

A.

Adams Express Co. —	PAGE
Claim allowed	234
Anderson, J. P. —	
Appointment of as telephone attendant.....	89

B.

Baker Art Gallery —	
Claim allowed	31
Barber, John —	
Claim allowed	234
Bornstein, H. —	
Claim allowed	31
Brunswick-Balke-Collender Co. —	
Claim allowed	31
Buchtel, William —	
Resolution of respect.....	163

C.

Campbell, T. H. —	
Prayer by	13
Canal Commission Report —	
Ordered printed	42
Central Union Telephone Co. —	
Claim allowed	234
Chamberlain, Ray —	
Appointment of as assistant bill clerk.....	31
Chandler, A. D. —	
Prayer by	52
Chaplains —	
Payment of	246
Coal Mining Commission Report —	
Ordered printed	42
Cohen, Leonard —	
Appointment of as committee room attendant.....	89
Collins, Peter J. —	
Resolutions of respect.....	15
Columbus Citizens Telephone Co. —	
Claim allowed	234
Conway, William —	
Appointment of as index clerk.....	31
Cottage Rose Garden —	
Claim allowed	234
Crystal Ice Manufacturing and Cold Storage Co. —	
Claim allowed	31, 234

D.

Day, John W. —	
Prayer by	32
Dunn-Taft Co. —	
Claim allowed	31, 234

E.

Employees —	PAGE
Services retained	261
Erner & Hopkins Co. —	
Claim allowed	31, 284

F.

Feltus, Elmer D. —	
Appointment of as cloak room attendant.....	89
Franklin Towel Supply Co. —	
Claim allowed	234
Frick, Adam —	
Resignation of	16

G.

Goodman Brothers —	
Claim allowed	233
Governor —	
Proclamation and message.....	3
Message	3, 16, 36, 45, 57, 105, 149, 157, 160, 164, 178, 195, 219, 236, 249
Disapproval of H. B. No. 22.....	236
Grabiel, E. A. —	
Appointment of as assistant clerk.....	31
Greenbaum, H. L. —	
Appointment of as assistant journal clerk.....	31

H.

Hall, Frank P. Co. —	
Claim allowed	31, 234
Henry, Clarence C. —	
Appointment of as page.....	52

J.

Jelleff, George F. —	
Claim allowed	87, 234
Jenkins, M. J. —	
Resolution of sympathy with.....	217
Communcation from	253

K.

Kaetzel, Alex. D. —	
Claim allowed	87

L.

Lang, Jacob —	
Appointment of as porter.....	89
Langdale, John W. —	
Prayer by	116
Legg, B. A. —	
Claim allowed	31
Lilley, M. C. & Co. —	
Claim allowed	234

M.

MacDonald Stationery Co. —	
Claim allowed	87
McNamee, C. J. —	
Nominations and election of.....	30
Oath administered	31

Mileage—	PAGE
Report of	150
Morehouse-Martens Co.—	
Claim allowed	234

P.

Pomerene, Atlee—	
Address by	20
Pontius, John W.—	
Prayer by	54
Protest filed—	
By James W. Nye.....	80
By John F. Gilson.....	244

R.

Read, A. Ross—	
Resignation of	62
Resignation accepted	90
Remington Typewriter Co.—	
Claim allowed	87, 234
Robinson, L. B.—	
Claim allowed	31
Rodgers, Minne—	
Claim allowed	234

S.

Sawyer, A. H.—	
Claim allowed	233
Schnapp, John D.—	
Claim allowed	31
Schroth & Potter—	
Claim allowed	31
Sell, E. H. & Co.—	
Claim allowed	31
Schoedinger-Marr Co.—	
Claim allowed	31
Small, Sam—	
Prayer by	102
Smith, Robert—	
Claim allowed	234
Smythe, A. H.—	
Claim allowed	87
Stationery—	
For members and clerk.....	13
Stenographer—	
Authority to appoint.....	14
Starr, J. D.—	
Appointed as chaplain.....	61

T.

Thompson, Thurman—	
Resolution of thanks to.....	214
Turner, Helen—	
Appointment of as stenographer.....	20
Typewriters, etc.—	
Authority to rent.....	14

U.

Underwood Typewriter Co.—	
Claim allowed	234
U. S. Express Company—	
Claim allowed	31, 233

W.

	PAGE
Wendt-Bristol Co.—	
Claim allowed	31, 234
West Disinfecting Co.—	
Claim allowed	87
Western Union Telegraph Co.—	
Claim allowed	31, 234
Westwater, J. M. & W.—	
Claim allowed	31

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